

Darwin City Liquor Accord

As at 20 August 2013

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Introduction

This Accord has been developed to assist in meeting the needs and expectations of the community who have the right to enjoy our licensed pubs and community clubs and surrounding precincts free of anti-social behaviour.

The Accord and all those involved want Darwin to have an exciting, diverse and safe nightlife. Darwin licensees must be able to compete freely, however, this must be balanced in order to avoid any negative impact of excessive alcohol consumption that can lead to anti-social behaviour.

How it works

The Darwin Liquor Accord is a voluntary commitment. To gain acceptance as a member, the licensee must demonstrate adherence to all the criteria detailed in the Accord. Membership is open to any licensee of licensed venues in the City of Darwin and members will meet a minimum of 4 times a year to work together to reduce alcohol-related crime and improve the perception of safety and appeal of the area, thus making Darwin a safer place to live, work and visit.

1. Steering Committee

- (a) The Darwin Liquor Accord is overseen by a Steering Committee comprising:
 - (i) 1 representative of the Northern Territory Police;
 - (ii) 1 representative from Licensing & Regulation; and
 - (iii) A representative from each licensed venue which is a member to this accord.
- (b) The Steering Committee:
 - (i) monitors and evaluates the progress of the Accord; and
 - (ii) deals with any major breaches of the Accord.

2. Accord Principles

The following principles have been adopted by Licensees in order to reduce individual and social harms by:

- (a) allowing patrons to enjoy drinking socially as long as they do not interfere with the rights and enjoyment of others;
- (b) meeting responsibilities to individuals and the community by upholding the responsible service of alcohol philosophy;
- (c) providing and maintaining a safe and secure environment for individuals, staff and the general community;
- (d) zero tolerance to anti-social and violent behaviour; and
- (e) building partnerships with all stakeholders to actively promote the Accord in order to implement local solutions and improve community safety.

3. Accord Objectives

In order to meet the principles of the Accord, Licensees are committed to:

- (a) a zero tolerance approach towards anti-social and violent behaviour in and around their licensed venues;

- (b) the responsible service of alcohol in licensed premises;
- (c) ensuring safety and security within the licensed premises and as far as reasonably practical, external to the licensed venue;
- (d) improving the general amenity of Darwin; and
- (e) signing up other licensees in Darwin.

4. **Accord Performance Indicators**

The performance indicators for reviewing the effectiveness of the Accord each year are:

- (a) the reduction in alcohol-related crime and anti-social behaviour;
- (b) an increase in the number of people who perceive Darwin to be safe; and
- (c) an enhanced relationship between licensees, local police and Licensing & Regulation.

Accord Strategies

The following strategies have been identified by Licensees as a standard of responsible management within the Darwin area.

1. Responsible Service of Alcohol

1.1 No underage drinking

- (a) Actively monitor all patrons to ensure they are not underage by checking proper proof of age identification at the door.
- (b) Younger patrons without proper identification will be refused admission.
- (c) Younger patrons who present false identification or have in their possession, identification of another person, will have the identification removed and then forwarded to the Police.
- (d) Approved liquor licensing signage must be prominently displayed.

1.2 No intoxicated persons

- (a) Staff will:
 - (i) Refuse service of alcohol to any person showing signs of intoxication.
 - (ii) Encourage patrons to drink responsibly and offer alternatives such as water and non-alcoholic drinks.
 - (iii) Ensure bottled water is available for purchase and free tap water is available for patrons.
 - (iv) Notify crowd controllers of patrons who are showing signs of intoxication so that crowd controllers can monitor and manage the situation.
- (b) Crowd Controllers are to refuse entry to all intoxicated persons and to use two-way radios to notify other Darwin venues of persons refused entry for intoxication or anti-social behaviour who may be looking for entry into other venues and notify City Safe if necessary.

1.3 Restricting activities that encourage drinking excessively

Licensees agree to:

- (a) Prohibit 'promotional pricing' of alcoholic drinks:
 - (i) within and immediately outside their licensed venues including but not limited to spruiking, TV screens and posters (eg, no drink price specials or discount advertising will be permitted); and
 - (ii) in all venue advertising including but not limited to print, the venues or other websites, radio and TV (but not including bottleshop promotions where applicable).
 - (iii) For the purposes of this clause 'promotional pricing':
 - A. *includes:*
 - 1) advertising of prices for any alcoholic products; or
 - 2) advertising alcoholic products by use of the emotive words such as "specials", "discounted", "free", "half price", "2 for 1" and similar terms.
 - B. *does not include* meal and drink offers, pricing on menus and use of words such as "beer / wine of the month".
- (b) Prohibit the use of promotions or advertising that encourages excessive alcohol consumption.
- (c) No promotions or functions designed to attract underage patrons.
- (d) Ensure Happy Hours are finished by 7pm and no advertising of finishing times.
- (e) Prohibit discounting of shooters during Happy Hours.
- (f) Serve drinks at standard measures.
- (g) No serving of doubles unless explicitly requested by the patron consuming the drink.
- (h) Comply with the "*Code of Practice to assist in the Responsible Promotion of Alcohol*" contained in **Schedule 2** of this document as varied by this clause 1.3 (the provisions of this clause 1.3 prevail over the Code).
- (i) Licensees support the 'Sob Bob Campaign' by offering free post-mix soft-beverages (where available) for designated drivers all year round.

1.4 Training

Licensees, nominees and staff will complete a "responsible service of alcohol" course.

2. Safety and security

2.1 Provision of a safe environment

- (a) Licensee will discourage glass in toilets or on the dance floor to reduce both intentional and accidental injuries.
- (b) Licensees will ensure staff policies and procedures require the prompt collection of

empty glasses and bottles.

- (c) Licensees to ensure CCTV is operating as specified in licence conditions.
- (d) Licensees to encourage crowd controllers to have access to telephones or two-way radios for use within the venue and between venues.
- (e) Trained first aid staff will be on the premises during trading hours.
- (f) From 11pm, all spirits and mixer glasses will be plastic or shatter (tempered) glass.
- (g) Licensed venues will utilise shatter (tempered) beer glasses at all times during trading hours.
- (h) Licensees will have an Illicit Drug Control Policy in place for their venues as part of their house-policies to minimise the sale, supply and use of illicit drugs within the Darwin CBD.

2.2 Provision of qualified and experienced crowd controllers

- (a) The Licensee will ensure the provision of qualified and experienced crowd controllers in accordance with licence conditions.
- (b) All crowd controllers are required to hold a current security licence.
- (c) All crowd controllers are clearly identified through uniforms and a visible security number.
- (d) All crowd controllers will wear high visibility vests to assist the orderly disbursement of patrons from the venues at closing.
- (e) All crowd controllers to enter full details of any incident into a security incident log book, including information on the date, time and nature of the incident and the action taken by staff and management.
- (f) The security incident log book will be made available to Police upon request.
- (g) Where appropriate, Police will be contacted when patrons or persons within the vicinity of the licensed venue displaying anti-social or criminal behaviour.

2.3 Relationship with other authorities

- (a) Licensees will closely liaise and co-operate with Police and Licensing & Regulation on measures to improve public safety in and around licensed venues.

2.4 Patron Code of Conduct

Licensees will:

- (a) Display the Patron Code of Conduct contained in **Schedule 3** in their licensed venues; and
- (b) Ask patrons to leave where they do not comply with the Patron Code of Conduct.

3. Improving the Amenity of Darwin

3.1 Darwin precinct

- (a) All licensed venues and licensees to operate as a “good neighbour” and have a genuine desire to respond to complaints and concerns of other traders/residents in

the Darwin by having a complaint procedure in place.

- (b) Each venue is to be pro-active in cleaning up the streets and doorways around the venue.

3.2 Entering licensed venues

- (a) Licensees will encourage persons to dispose open containers of alcohol in rubbish containers, prior to patrons entering the licensed venues.
- (b) Crowd Controllers to ensure any litter or waste identified within close proximity is picked up and disposed of in rubbish containers.
- (c) Crowd Controllers will monitor persons waiting to enter the licensed venues to ensure that patrons do not impact on the amenity of the area.
- (d) Crowd Controllers are appropriately trained to manage persons waiting to enter the licensed venues.

3.3 Leaving licensed venues

- (a) Crowd Controllers are trained to ensure patrons do not leave the licensed venues with alcohol or glass.
- (b) All patrons have access to information on transport options when leaving the venue, including directions to the Secure Taxi Rank.
- (c) Licensees will continue to support the Secure Taxi Rank by providing security to man the rank on Friday and Saturday nights.

4. Darwin Police

- (a) Maintain a visible presence on the streets on weekends and at other key times (eg, New Years Eve).
- (b) Work with Licensees and Licensing & Regulation to implement this Accord and improve community safety.

5. Licensing & Regulation

Licensing & Regulation agree to:

- (a) work with Licensees and Police to implement this Accord and improve community safety;
- (b) support the Darwin Liquor Accord by providing advice to all liquor licence holders as to relevant liquor licensing laws;
- (c) meet on a regular basis with Licensees and Police to discuss and resolve relevant issues that impact on the community within the Darwin CBD.

6. Compliance with all laws

Licensees must comply with all relevant laws pertaining to the operation of their businesses and acknowledge that this Accord does not in anyway limit any obligations and responsibilities under such laws.

Schedule 1 – Licensed Members of this Accord

Co-ordinator (representative of founding members of the Accord):

Australian Hotels Association NT Branch

GPO Box 3270

Darwin NT 0800

Venue	Licensee
The Vic	Reviction Pty Ltd
The Cavenagh	CGT Holdings PTY Ltd
Kitty O'Sheas	Omnyx Pty Ltd
The Deck	Karma Darwin Pty Ltd
Wisdom Bar & Café	AFS Realty & Business Brokers Pty Ltd
Monsoons	Tropics Holdings Pty Ltd
Shenannigans	Shenannigans Irish Pub Pty Ltd
Ducks Nuts	DNPW Pty Ltd
Top End Hotel	Halikos Pty Ltd
Throb	Throb Nightclub Pty Ltd
The Tap	Value Inn Pty Ltd
Hot Potato	Crocosaurus Cove Pty Ltd
Discovery	Rediscover Pty Ltd
Honey Pot	Incrowd Investments Pty Ltd
Lost Ark	Rediscover Pty Ltd
Squires Tavern & Time Nightclub	J & L Investments Pty Ltd

Schedule 2 – Code of Practice to Assist in the Responsible Promotion of Alcohol

***** This Code has been amended in mark-up to reflect the further agreed obligations of licensees under clause 1.3 of the Liquor Accord. This has been done for ease of reference only.***

<u>ACCEPTABLE PRACTICES</u>	<u>UNACCEPTABLE PRACTICES</u>
<p>1. It is acceptable to conduct the traditional “happy hour” during or immediately following normal daytime working hours.</p> <p><u>Note:</u> *Time of happy hour may be advertised however only a starting or finishing may be advertised – not both.</p> <p>*Happy hour prices are not to be advertised at all.</p> <p>*Happy hour must cease by 7pm 8pm (20:00).</p>	<p>1. It is unacceptable to supply drinks that offer alcohol in non-standard measures and/or by virtue of their emotive titles, such as “laybacks” – “shooters” – “slammers” – “test tubes” – “blasters” and their method of consumption encourages irresponsible drinking habits and are likely to result in rapid intoxication.</p> <p><u>Note:</u> * No use of the term “shooter” * No test tubes to be sold * Standard measures only</p>
<p>2. It is acceptable to supply a complimentary standard drink upon arrival.</p> <p><u>Note:</u> *No jugs, cocktails or multiple measures as complimentary drinks.</p>	<p>2. It is unacceptable to supply drink cards that provide a multiple of free drinks, extreme discounts or discounts of limited duration on a given day or night and/or have the capacity to be readily stockpiled by patrons. In other words, the drink cards must not by design or potential misuse create an incentive for patrons to consume liquor more rapidly than they otherwise might.</p>
<p>3. <u>Subject to the provisions of clause 1.3 whereby advertising promotional prices of liquor is prohibited</u>, it is acceptable to offer promotions involving low alcohol beer where it is clear from the advertising and promotional material that it is a low alcohol beer promotion.</p>	<p>3. It is unacceptable for any labelling or titling of promotions that may encourage patrons to consume liquor irresponsibly and excessively to an intoxicated state.</p>
<p>4. It is acceptable to conduct the advertising of a consistent price of a particular type or brand of liquor across the entire trading hours of a premises on a given day or night, providing the price is not so low that it will, in itself, encourage the excessive consumption of alcohol and intoxication.</p>	<p>4. It is unacceptable to refuse to serve half measures of spirits on request or provide reasonably priced non-alcoholic drinks.</p> <p><u>Note:</u> *15mL measures must be available on request even though dispenser measure 30mL nips.</p>
<p>5. <u>Subject to the provisions of clause 1.3 whereby advertising promotional prices of liquor is strictly prohibited</u>, it is acceptable to promote (but not by price advertising) particular brands of liquor that provide incentives to purchase that brand by virtue of a consistent discounted price, offer of a prize etc., but does not provide any particular incentive to consume that product more rapidly than a patron’s normal drinking habit.</p>	<p>5. It is unacceptable for any promotion that encourages a patron to consume liquor excessively – eg. “all you can drink offers” – “free drinks for women” – “two for one” – and to consume it in an unreasonable time period.</p>

Schedule 3 – Patron Code of Conduct

The management of this venue is committed to providing you with a safe, enjoyable and appealing environment.

By law, we are not allowed to serve people who are intoxicated.

We want to provide you with a great venue to respect and enjoy and we want our patrons to feel secure in the knowledge that they can come here to unwind and have fun without feeling threatened or at risk.

In order to do this, we expect our patrons to accept and adhere to our Patron Code of Conduct. Please read, accept and adhere to our Patron Code of Conduct.

Adhering to this venue's Patron Code of Conduct means as a patron:

1. I will not enter this venue intoxicated;
2. I will not enter this venue under the influence of any illicit substances and I will not take illicit substances while at the venue;
3. I understand that I will be refused service if I appear to be intoxicated. If staff (including security) ask me to leave the venue I will do so immediately, I understand it is an offence to remain and I can be liable for an on-the-spot \$130 fine;
4. I will respect this venue's dress code by wearing the appropriate attire at all times;
5. I will not be rude, abusive or act violently towards any other patron, venue staff or the Police;
6. I will support venue management not accepting anyone being verbally or physically assaulted, any acts of theft, vandalism or discrimination and illicit substance use on the venue's property;
7. I understand that I may be recorded on closed-circuit television cameras located inside and outside of the venue;
8. I will leave this venue in a quiet and orderly fashion and respect the people and the property of people who live close to our venue;
9. I understand that if I don't wish to accept this Patron Code of Conduct, I should not enter or remain in this venue;
10. I understand that drink spiking (with alcohol or any other drug) is illegal and is not tolerated in this venue.

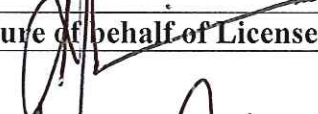
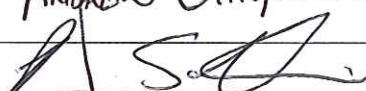





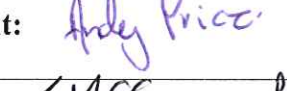
Amendments

1. Amendment unanimously agreed to by members of the Darwin CBD Liquor Accord on 31 March 2011.

#	Ref	Current Clause	Proposed Clause
1.	1.1 (c)	Younger patrons who present false identification or have in their possession, identification of another person, will have the identification removed and then forwarded to the Police	Younger patrons who present false identification or have in their possession, identification of another person, will have the identification removed and then forwarded to Licensing Regulation and Alcohol Strategy
2.	2.2 (f)	The security incident log book will be made available to Police upon request	The security incident log book will be made available to Police and Licensing Inspectors upon request

Amendment 2

Schedule 1 – Licensed Members of this Accord - 20 Aug 2013.

Venue	Licensee	Signature of behalf of Licensee
The Victoria Hotel	North Australian Hotel Pty Ltd	Sign:  Print: ANDREW CHIGWINIDEN
The Cavenagh	Salsa Holdings (NT) Pty Ltd	Sign:  Print: RICKY DAVID SCOTT.
The Hotel Darwin	Merlar Hotel Management Pty Ltd	Sign:  Print: JOHN MEERS
Ducks Nuts	Birch, Carroll & Coyle Limited	Sign:  Print: Lisa Krause
Top End Hotel	Halikos Hospitality Pty Ltd	Sign:  Print: Ashleigh Winn.
Discovery	Deva Darwin Pty Ltd	Sign:  Print: Andy Price
Lost Arc	Deva Darwin Pty Ltd	Sign:  Print: Andy Price
The Fox Ale House	Nundor Pty Ltd	Sign:  Print: Tiannine McCourt
		Sign: Print: