

# **Kakadu** Liquor Licensing Accord

# Contents

- 1. Introduction ..... 2**
  - 1.1 Members of the Accord ..... 2
  - 1.2 Accord Principles ..... 2
  - 1.3 Accord Objectives ..... 3
- 2. Responsible Service of Alcohol ..... 3**
  - 2.1 Sober Bob Campaign ..... 3
  - 2.2 No underage drinking ..... 3
  - 2.3 No drunk persons ..... 3
  - 2.4 Restricting activities that encourage drinking excessively ..... 4
  - 2.5 Application of Bans ..... 4
  - 2.6 Appeals ..... 5
  - 2.7 Training ..... 5
- 3. Safety and Security ..... 6**
  - 3.1 Provision of a safe environment ..... 6
  - 3.2 Provision of qualified and experienced crowd controllers ..... 6
  - 3.3 Relationship with other authorities ..... 6
  - 3.4 Patron Code of Conduct ..... 6
- 4. Improving the Amenity of the Kakadu Region ..... 6**
  - 4.1 Kakadu Region ..... 6
  - 4.2 Entering licensed premises ..... 7
  - 4.3 Leaving the licensed premises ..... 7
- 5. Jabiru Police ..... 7**
- 6. Gambling and Licensing Services ..... 7**
  - 6.1 Compliance with all laws ..... 8
- Schedule 1 – Members of this Accord and Accord Coordinator Error! Bookmark not defined.**
- Schedule 2 – Code of Practice to Assist in the Responsible Promotion of Alcohol ..... Error! Bookmark not defined.**
- Schedule 3 – Table of bans ..... Error! Bookmark not defined.**
- Schedule 4 – Patron Code of Conduct ..... Error! Bookmark not defined.**

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## 1. 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 community clubs and surrounding precincts free of anti-social behaviour.

**Kakadu** member 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 **Kakadu** Liquor Licensing Accord is a voluntary commitment. To retain membership, the Licensee must demonstrate adherence to all the criteria detailed in the Accord. Accord membership may be expanded in the future at the wish of current members. Members will meet a minimum of **4** times a year to work together to reduce alcohol-related crime and anti-social behaviour, and improve the perception of safety and appeal of the area, thus making the **Kakadu** region a safer place to live, work and visit. The Accord will form the basis of the Kakadu Alcohol Management Plan and will from time to time report to the Gunbang Action Group.

### 1.1 Members of the Accord

Members of the Kakadu Liquor Accord comprise:

- one representative of the Northern Territory Police;
- one representative from Gambling and Licensing Services;
- one representative of the Gunbang Action Group;
- one representative of the Gundjeihmi Aboriginal Corporation; and
- representatives from licensed premises listed at Schedule 1.

All Members will:

- monitor and evaluate the progress of the Accord; and
- deal with any breaches, penalties and appeals under the Accord.

### 1.2 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 which may jeopardise the ongoing business of the licensee or threatens the safety and wellbeing of staff or patrons;
- e) promoting Indigenous health and wellbeing and respecting Indigenous culture; and
- f) building partnerships with all stakeholders to actively promote the Accord in order to implement local solutions and improve community safety.

### **1.3 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 premises;
- b) a zero tolerance of behaviour that may jeopardise the ongoing business of the licensee or threatens the safety and wellbeing of staff or patrons;
- c) zero tolerance of racial discrimination or vilification;
- d) the responsible service of alcohol in licensed premises;
- e) ensuring safety and security within the licensed premises and as far as reasonably practical, external to the licensed premises;
- f) improving the general amenity of the region; and
- g) expanding Accord membership where appropriate.

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## **2. Responsible Service of Alcohol**

### **2.1 Sober Bob Campaign**

- a. Licensees will actively support local 'Sober Bob' campaigns by promoting campaign material such as posters and coasters and offering free post-mix to eligible patrons.

### **2.2 No underage drinking**

- a. Staff will actively monitor all patrons to ensure they are not underage, by checking proper proof of age identification.
- b. Younger patrons without proper identification will be refused service of alcohol.
- c. Patrons who present false identification or have in their possession identification of another person, will have the identification confiscated and forwarded to Gambling and Licensing Services.
- d. Approved liquor licensing signage should be prominently displayed.

### **2.3 No drunk persons**

Staff will:

- a. Refuse service of alcohol to any person showing signs of drunkenness.
- b. Encourage patrons to drink responsibly and offer alternatives such as water and non-alcoholic drinks.
- c. Ensure bottled water is available for purchase and free tap water is available for patrons.
- d. Notify the Duty Manager and crowd controllers (where applicable) of patrons who are showing signs of drunkenness so that crowd controllers can monitor and manage the situation appropriately.
- b. Licensees and staff (including crowd controllers) are to refuse entry to all drunk patrons and where possible, inform other licensed venues located within the Kakadu region where they may have reason to suspect these patrons will try to enter or purchase from those other venues.

## **2.4 Restricting activities that encourage drinking excessively**

Licensees agree to:

- a. Prohibit the use of promotions or advertising that encourages excessive alcohol consumption.
- b. Ensure promotions or functions are not designed to attract underage patrons.
- c. Serve drinks at standard measures.
- d. Comply with the “*Code of Practice to assist in the Responsible Promotion of Alcohol*” contained in **Schedule 2** of this document.

## **2.5 Application of Bans**

- a. A table of behaviour attracting bans is attached at **Schedule 3**
- b. Police may recommend a ban to the Accord members where appropriate pursuant to paragraph 5c.
- c. A licensee/nominee who is an Accord member may be notified by a medical practitioner or recognised and relevant health professional that a person’s immediate or long term health is at risk and may be further harmed by consumption of alcohol. That person may be banned for a period to be determined by the Accord membership in consultation with the medical practitioner or health professional. That person must provide informed consent for the ban to be applied.
- d. Bans in excess of one month will result in the issue and service of a Trespass Notice relevant to all member venues pursuant to section 9 of the *Trespass Act*
- e. A person banned for more than one month is banned from each member premises and is not permitted to enter or consume liquor in these premises.
- f. All member licensees will be notified that a person is undergoing a ban of more than one month and the term of that ban.
- g. All bans will be documented by Police, or licensees if for period of one month or less. Details will include the name of the person banned, the start and finish

dates of the ban and the reasons for the ban. These records are to be available for inspection by the person subject to the ban upon request.

## **2.6 Appeals**

- a. Without commencing formal proceedings any person subject to a ban and consequent Trespass Notice may appeal a ban by request to the Accord membership.
- b. A request can be made in writing or through discussion between Accord members and the person subject to the ban. The person subject to the ban may have another person present for support or to help facilitate process.
- c. Appeals will not be considered if thought vexatious by the Accord Coordinator.
- d. A ban may be revoked or varied by agreement of all member licensees.
- e. A ban imposed as a consequence of an assault on a licensee or a staff member, may not be revoked until the victim of that assault has left the employ of the licensed premises. If the victim has departed it is not an automatic right that the offender will be reinstated unless all recommendations and courses have been completed as directed.
- f. A ban may be revoked or varied if the Accord members deem that:
  - the ban is inappropriate;
  - the applicant has demonstrated suitable remorse and has taken actions to resolve behaviour issues, such as attendance at an anger management course.
- g. When a ban may not be revoked:
  - 12 month bans will be fully served, but subject to review at the end of the period. The review will ascertain whether the ban should be extended. An extension can be no longer than 12 months at a time. An extension will occur if it is judged that the person is likely to present further problems. That judgement will be based on information collected from relevant sources such as other patrons, community and family members, service agencies and Police, and evidence of reform by the banned person. The review will be conducted by a panel comprising members of the Accord and including the Police and Gunbang Action Group.
- h. Appeals can be made at any time and timely responses are to be ensured. In making determinations, Accord members will be reasonable and prudent.

## **2.7 Training**

- a. Licensees, nominees and bar staff must complete the “responsible service of alcohol” course.
- b. All senior staff, if not all staff, will attend an appropriate cross-cultural course.

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### **3. Safety and Security**

#### **3.1 Provision of a safe environment**

- a. Licensee should discourage drinks in toilets or on dance floors to reduce both intentional and accidental injuries.
- b. Licensee to ensure CCTV is operating if required as a licence condition.
- c. Trained first aid staff should be on the premises during trading hours.

#### **3.2 Provision of qualified and experienced crowd controllers**

- a. Where applicable, the Licensee will ensure the provision of qualified and experienced crowd controllers if required in accordance with licence conditions.
- b. The Licensee will ensure that crowd controllers hold a current licence.
- c. 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.
- d. The security incident log book will be made available to Police upon request.

#### **3.3 Relationship with other authorities**

Liaison and co-operation will be maintained with Police and Gambling and Licensing Services on measures to improve public safety in and around licensed premises.

#### **3.4 Patron Code of Conduct**

Licensees will:

- a. Display the Patron Code of Conduct contained in **Schedule 4** in their licensed premises;
- b. As far as reasonably possible, ask patrons to leave when they do not comply with the Patron Code of Conduct;
- c. If a patron fails to comply with the Patron Code of Conduct on more than one occasion, the Licensee will ban that patron from their venue for a minimum of one month.

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### **4. Improving the Amenity of the Kakadu Region**

#### **4.1 Kakadu Region**

- a. All licensed premises and Licensees to operate as a “good neighbour” and have a genuine desire to respond to complaints and concerns of other traders/residents by having a complaint procedure in place.

- b. All licensed premises and Licensees to operate with respect to cultural imperatives of the Traditional Owners of the lands and will comply to requests for no sales to Bininj people in the event of the death of an individual. Requests will be made to each licensee in writing and will indicate the period during which sales should be suspended.
- c. Each venue is to be pro-active in cleaning up the streets and doorways immediately around the venue.

#### **4.2 Entering licensed premises**

- a. Licensees to ensure any litter or waste identified within close proximity is picked up and disposed of in rubbish containers.
- b. Licensees will monitor patrons waiting to enter the licensed premises to ensure that patrons do not impact on the amenity of the area.

#### **4.3 Leaving the licensed premises**

- a. Licensees will make all endeavours to ensure patrons do not leave the licensed premises with alcohol or glass (unless takeaway alcohol is permitted under licence conditions).
- b. All patrons should have access to information on transport options when leaving the venue.

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### **5. Jabiru Police**

Jabiru Police agree to:

- a. Maintain a visible presence as far as practicable at key locations and at key times.
- b. Work with other members of the Accord to implement the Accord and improve community safety.
- c. Police may recommend that a ban is imposed on a person if reasonably believed that a person's behaviour risks public safety and relates to his or her alcohol consumption.

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### **6. Gambling and Licensing Services**

Gambling and Licensing Services agrees to:

- a. work with other members of the Accord to implement the Accord and improve community safety;
- b. work with the Gunbang Action Group to aid efficient and effective delivery of alcohol management strategies in support of the Accord, including a local ID system.

- c. support the **Kakadu** Accord by providing advice to all liquor licence holders as to relevant liquor licensing laws;
- d. meet with Licensees and Police and Gunbang Action Group to discuss and resolve relevant issues that impact on the **Kakadu** region.

## **6.1 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 any way limit any obligations and responsibilities under such laws.