

Darwin Outer City Liquor Accord

Darwin – Northern Territory

Document title	Darwin Outer City Liquor Accord
Contact details	DirectorLiquorLicensing.DITT@nt.gov.au
Approved by	Director of Liquor Licensing
Date approved	15 December 2022
Document review	60 DAYS FROM DATE OF ACCORD APPROVAL
TRM number	LNT2022/3572

Version	Date	Author	Changes made
1.0	29 November 2022	Philip Timney	
2.0	7 December 2022	Philip Timney	Changes arising from accord meeting held 7.12.2022
3.0	15 December 2022	Philip Timney	Accord signed by Director of Liquor Licensing

Contents

1. Introduction	4
2. How it works	4
2.1. Accord members	4
2.2. Accord Advisers	4
2.3. Accord Coordinator	5
2.4. Monitoring and Review of Accord	5
2.5. Frequency of meetings	5
2.6. Accord area	5
3. Accord principles	5
4. Accord Objectives	5
5. Accord Strategies	6
5.1. Commitment from Licensees	6
5.2. Safety and security	6
5.3. Improving the amenity of Darwin	7
5.4. Encouraging the growth of a more responsible drinking culture in Darwin	7
5.5. Accord performance indicators	7
6. Darwin Police	7
7. Licensing NT	8
8. Compliance with all laws	8
Schedule 1: Members and Coordinator of the Darwin Outer City Liquor Licensees' Accord	9
Schedule 2 - Takeaway Customer Code of Conduct	11
Schedule 3 - Legitimate Residence Guideline	12
Schedule 4 - City of Darwin Municipality	14
Schedule 5 - Darwin Outer City Liquor Accord Boundaries	15
Schedule 6 - Liquor Accord Notice - Where do you intend to drink the alcohol you purchased?	16

1. Introduction

This Liquor Licensees' Accord ('the Accord') has been developed to assist in meeting the needs and expectations of the Darwin Outer City Community which has the right to enjoy licensed pubs, community clubs and surrounding precincts free of alcohol-related harm. The area included in this Accord is defined in **Schedule 5**.

The Accord wants Darwin Outer City to have an exciting, diverse and safe social life, and recognises that licensed takeaway outlets play an important role in this. Darwin Outer City Licensees must be able to compete freely, however this should be balanced to avoid excessive alcohol consumption which can lead to anti-social behaviour and other alcohol-related harm. Members of the Accord are members of the Darwin Outer City community and they too want a safe and happy place for their families to live. Darwin Outer City has been identified as an area that has alcohol-related issues with the issue of secondary supply and public drinking from the sale of takeaway alcohol. Membership of the Accord is limited to liquor licensees whose premises are situated in the Darwin Outer City area.

Initially this accord will be approved as a temporary accord for a period of 60 days from the date approved by the Director of Liquor Licensing (Director).

2. How it works

The Darwin Outer City Liquor Accord is a voluntary commitment. To gain acceptance as a member, a Licensee must demonstrate adherence to all the criteria detailed in the Accord. Membership is open to any Licensee, or representative, of licensed premises situated in the Darwin Outer City area.

Joining an Accord is voluntary however under section 132(2) of the *Liquor Act 2019* the Director may require a licensee to be a party to a local liquor accord.

In addition, under section 134(1) of the Act a licensee must comply with any local liquor accord provisions to which the licensee is a party as if those provisions were licence conditions.

However, the Director has determined not to take any disciplinary action against licensees who fail to comply with the accord provisions so long as licensees are making their best endeavours to comply. That determination will remain in place for the 60-day trial period for the Darwin Outer City Liquor Accord.

2.1. Accord members

Members of the Darwin Outer City Liquor Accord consist of one representative from each of the licensed premises listed at **Schedule 1**.

2.2. Accord Advisers

Permanent Advisers:

- A. One representative of the Northern Territory Police; and one representative of NT Licensing.
- B. Temporary Advisers may be invited to Accord meetings at times.
- C. Advisers are not entitled to a vote if a ballot needs to be taken.

2.3. Accord Coordinator

Information about the Accord Coordinator, for the purposes of the Liquor Act, is at **Schedule 1**.

2.4. Monitoring and Review of Accord

Accord Members will:

- Monitor and evaluate the progress of the Accord;
- Review and make changes to this Accord document every two years or more often as necessary.

2.5. Frequency of meetings

Members will meet a minimum of 4 times a year.

2.6. Accord area

The area included in this Accord is the area shown on the map contained in **Schedule 5**.

3. Accord principles

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

- Allowing patrons to enjoy drinking socially as long as they do not interfere with the rights and enjoyment of others;
- Meeting responsibilities to individuals and the community by upholding the responsible service of alcohol philosophy;
- Providing and maintaining a safe and secure environment for patrons, staff and the general community;
- Zero tolerance to anti-social and violent behaviour; and
- Building partnerships with other stakeholders to develop, implement and support local solutions to improve community safety and reduce alcohol-related harm generally.

4. Accord Objectives

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

- A zero tolerance approach towards anti-social and violent behaviour in and around their licensed premises;
- Reducing risk of secondary supply and consumption of liquor in public places;
- The responsible service of alcohol in licensed premises;
- Ensuring safety and security within the licensed premises and as far as reasonably practical, external to the licensed premises;
- Improving the general amenity of the Darwin Outer City community; and
- A flexible approach to working with other stakeholders in order to deal with emerging issues linked to alcohol-related harm.

5. Accord Strategies

The accord will have a 60-day trial period, commencing from the date the Accord is approved by the Director, with the following strategies identified by Licensees as a standard of responsible management within the Darwin Outer City.

5.1. Commitment from Licensees

In addition to adhering to their legal obligations, including the *Liquor Act 2019*, licence conditions, and the Code of Practice for the Responsible Promotion and Service of Alcohol, members of the Accord will:

- Display the patron code of conduct (**Schedule 1**) in licensed premises;
- Ask patrons to leave if they breach the patron code of conduct, and ban patrons who behave badly;
- No Shirt, No Shoes – No service;
- Limit sales of cask wine to 1 cask per person per day;
- No promotions on cask wine sales;
- Prominent display of Accord membership promotional material including code of conduct;
- If more than one customer presents as a group for a single liquor sale and the licensee suspects that an offence may be committed, licensees will scan the identification of all customers in the group and refuse service if any person in the group is on the Banned Drinker Register (BDR).
- Record and report any suspicious sales or behaviour to NT Police and/or Licensing NT; and
- Comply with the Legitimate Residence measure. (Refer to the Darwin Outer City Liquor Accord - Takeaway Liquor Sales - Legitimate Residence Guideline contained in **Schedule 3**).
- Display the Liquor Accord Notice – Where do you intend to drink the alcohol you purchased? contained in **Schedule 6**.

5.2. Safety and security

Provision of a safe environment:

- Licensee to ensure CCTV is operating as specified in licence conditions.

Relationship with other authorities:

Close liaison and co-operation will be maintained with NT Police and Licensing NT on measures to improve public safety in and around licensed premises.

Patron Code of Conduct:

Licensees will:

- Display the Takeaway Customer Code of Conduct (**Schedule 2**) in their licensed premises;
- As far as reasonably possible, ask patrons to leave when they do not comply with the Takeaway Customer Code of Conduct; and

- If a patron fails to comply with the Takeaway Customer Code of Conduct on more than one occasion, the Licensee may ban that patron from their venue for a minimum of one month.

5.3. Improving the amenity of Darwin

Licensees as 'good neighbours':

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

Leaving the licensed premises:

- 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).
- All patrons have access to information on transport options when leaving the venue, including directions to a taxi rank.

5.4. Encouraging the growth of a more responsible drinking culture in Darwin

Licensees will:

- Display campaign material promoting responsible drinking and other harm reduction initiatives.
- Support Advisers and service providers, where appropriate, with other liquor supply control, alcohol harm reduction and alcohol harm prevention measures.

5.5. Accord performance indicators

The performance indicators for reviewing the effectiveness of the Accord:

- Measurable reduction in alcohol-related crime and anti-social behaviour associated with takeaway liquor within the Darwin Outer City area;
- To increase the number of people in the community who perceive Darwin to be safer; and
- An enhanced relationship between community, licensees, local police, local government and Licensing NT.

6. NT Police

Agree to:

- Provide support and randomly patrol at key times and locations identified by Accord members i.e. Parap Road parklands, Bundilla and Mindil Beach areas; and
- Work with Licensees and Licensing NT to implement the Accord and improve community safety.

7. Licensing NT

Licensing NT agrees to:

- Work with Licensees and NT Police to implement the Accord and improve community safety;
- Support the Darwin Outer City Liquor Accord by providing advice to all liquor licence holders as to relevant liquor licensing laws; and
- Meet with Licensees and NT Police to discuss and resolve relevant issues that impact on the Darwin Outer City community.


8. 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.

Schedule 1: Members and Coordinator of the Darwin Outer City Liquor Licensees' Accord

Venue / Outlet	Address	Representative	Email Address (optional)	Signature
BWS Parap / Parap Tavern	15 Parap Road, Parap	Matt Schier	liquoraccords@edg.com.au matt.schier@bws.com.au stuart.totham@edg.com.au paul.flinn@alhgroup.com.au suman.rayamajhi@alhgroup.com.au	Signed 22/12/22 TRM: LNT2022/3572-0003
Best Foods	90 Francis Bay Drive, Stuart Park	Franklin Jacob	jacofranklin@googlemail.com	Signed 17/01/23 TRM: LNT2022/3572-0003
Fannie Bay Supermarket	3/13 Fannie Bay Place, Fannie Bay	Manuel Kotis	kotis5@bigpond.com	Signed 13/12/2022 TRM: LNT2022/3572-0003
Parap Fine Foods	40 Parap Road Parap	Neville Pantazis (Coordinator)	neville@parapfinefoods.com	Signed 13/12/2022 TRM: LNT2022/3572-0003
Parap Road Store	9 Parap Road Parap	Ricardo Florindo	parap.rstore@gmail.com	Signed 13/12/2022 TRM: LNT2022/3572-0003
Parap Supermarket	17 Douglas Street, Parap	Doan Ngoc Cao	accounts@parapsupermarket.com.au	Signed 13/12/2022 TRM: LNT2022/3572-0003
Stuart Park Corner Store	11 Westralia Street	Rubin Poulouse	rubin@stuartparkcornerstore.page	Signed 13/12/2022 TRM: LNT2022/3572-0003
Buff Club	57 Stuart Highway, Darwin City	John Smellin	manager@thebuffclub.com.au	Signed 13/12/2022 TRM: LNT2022/3572-0003

Accord Partners

Venue / Outlet	Representative	Email Address (optional)	Signature
Licensing NT	Philip Timney	Philip.timney@nt.gov.au	 15.12.2022
NT Police	A/Commander James Allen O'Brien	JamesAllen.Obrien@pfes.nt.gov.au	
Hospitality NT	Alex Bruce	alex@hospitalitynt.com.au	
City of Darwin	TBC		

Darwin Outer City Liquor Licensees' Accord Coordinator

Neville Pantazis
 Manager / Nominee, Parap Fine Foods
neville@parapfinefoods.com

Schedule 2 - Takeaway Customer Code of Conduct

In selling takeaway alcohol. Licensees will:

- Promote and display the Takeaway Customer Code of Conduct contained below in their retail bottleshops; and
- Will not serve customers who do not comply with the Takeaway Customer Code of Conduct.

The Management of this outlet is committed to providing a positive shopping experience for all customers. In order to do this we ask our customers to respect and adhere to this Code of Conduct

TAKEAWAY CUSTOMER CODE OF CONDUCT

Adhering to this Code of Conduct means as a customer:

- I can provide evidence that I am over 18 years of age;
- I am not intoxicated when entering this outlet;
- I understand I will be refused service if I appear drunk;
- I understand that I may be refused service if I don't have legitimate residence to consume purchased alcohol;
- If asked by staff to leave the outlet I will do so immediately, in an orderly fashion, respecting other customers, staff and property;
- I will not be rude or aggressive to other customers or staff; and
- I understand that if I do not wish to accept this Customer Code of Conduct I should not enter or remain at this outlet.

Schedule 3 - Legitimate Residence Guideline

DARWIN OUTER CITY LIQUOR ACCORD GUIDELINE

Licensees who are members of the Darwin Outer City Liquor Accord (the Accord) have agreed to implement certain measures, additional to those contained in the *Liquor Act 2019* and *Liquor Regulations 2019*. One of the primary aims of those measures is to address and minimise the consumption of liquor in public places and the resultant alcohol-related, anti-social behaviour that occurs as a result.

One of the measures included in the Accord is the “Legitimate Residence” requirement. The following is provided to licensees as a guideline for the implementation of that measure and an explanation of best practice for licensees who have agreed to adopt the measure.

The Legitimate Residence measure is to be implemented for all customers wishing to purchase takeaway liquor who reside outside the boundaries of the City of Darwin municipality: refer to the map contained in **Schedule 4** to the Accord.

Legitimate Residence Measure:

Prior to completing a transaction for the sale of takeaway liquor, licensees are required to scan an approved form of identification for the purpose of the Banned Drinker Register (BDR) requirements.

Approved forms of identification are:

- Australian and most international driver’s licences;
- Evidence of Age Card;
- Australian and most international passports;
- NT Firearms Licence;
- NT Ochre Card; and
- Australia Post Keypass Card.

Forms of ID that include a residential address:

Australian drivers’ licences and Australia Post Keypass Cards include the residential address of the holder.

Local Residents:

Where a customer presents an identification that indicates that the person resides within the City of Darwin Municipality, licensees are not required to make any additional enquiries of the customer and, subject to the customer not being recorded on the BDR, the sale may proceed.

Non-local Residents:

Where a customer presents an identification that indicates that the person resides in a place that is not within City of Darwin Municipality, licensees are required to ask the customer if they have a legitimate residence at which to consume the liquor within the Darwin Municipality.

It is not a requirement that the customer must consume the liquor at their own residence. Where a customer indicates they intend to consume the liquor at the residence of a friend or family member who resides within the City of Darwin Municipality, the sale may proceed so long as the licensee is satisfied with the response provided by the customer.

For the purpose of certainty, a public place is not a legitimate residence for the purposes of this measure, even if the consumption of liquor in that public place is otherwise lawful.

In the event the customer is unable to satisfy the licensee that the customer intends to consume the liquor at a legitimate residence, the transaction is to be refused.

Example: a customer arrives at a bottleshop within the Accord area and produces a NT Driver's licence indicating they reside in the Katherine region. Unless the customer is able to satisfy the licensee that they have a legitimate residence in the City of Darwin Municipality at which to consume the liquor, the transaction is to be refused.

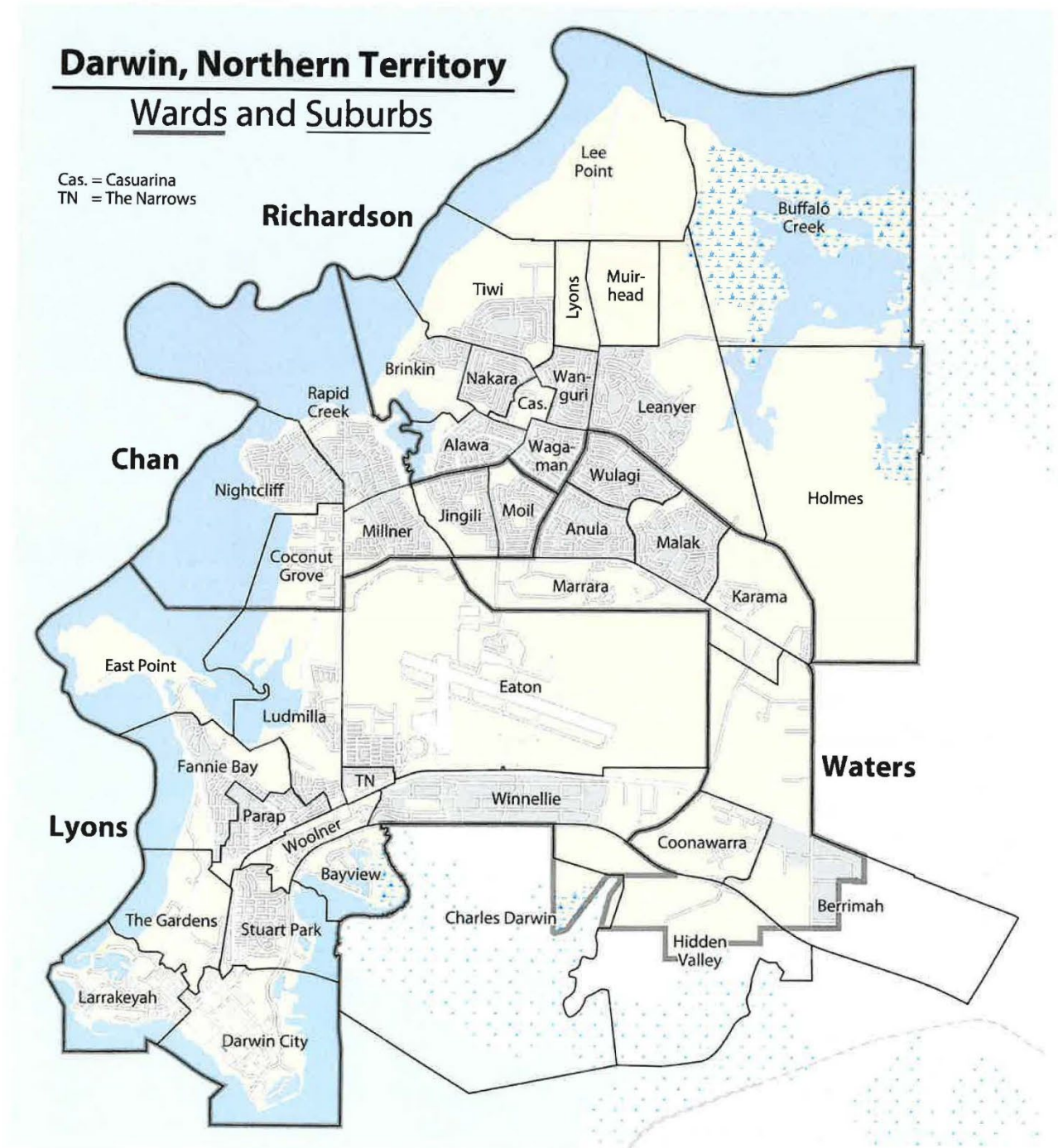
Forms of ID that do not include a residential address:

Evidence of Age Cards, Australian passports, NT firearms licences and NT Ochre Cards do not include the residential address of the holder.

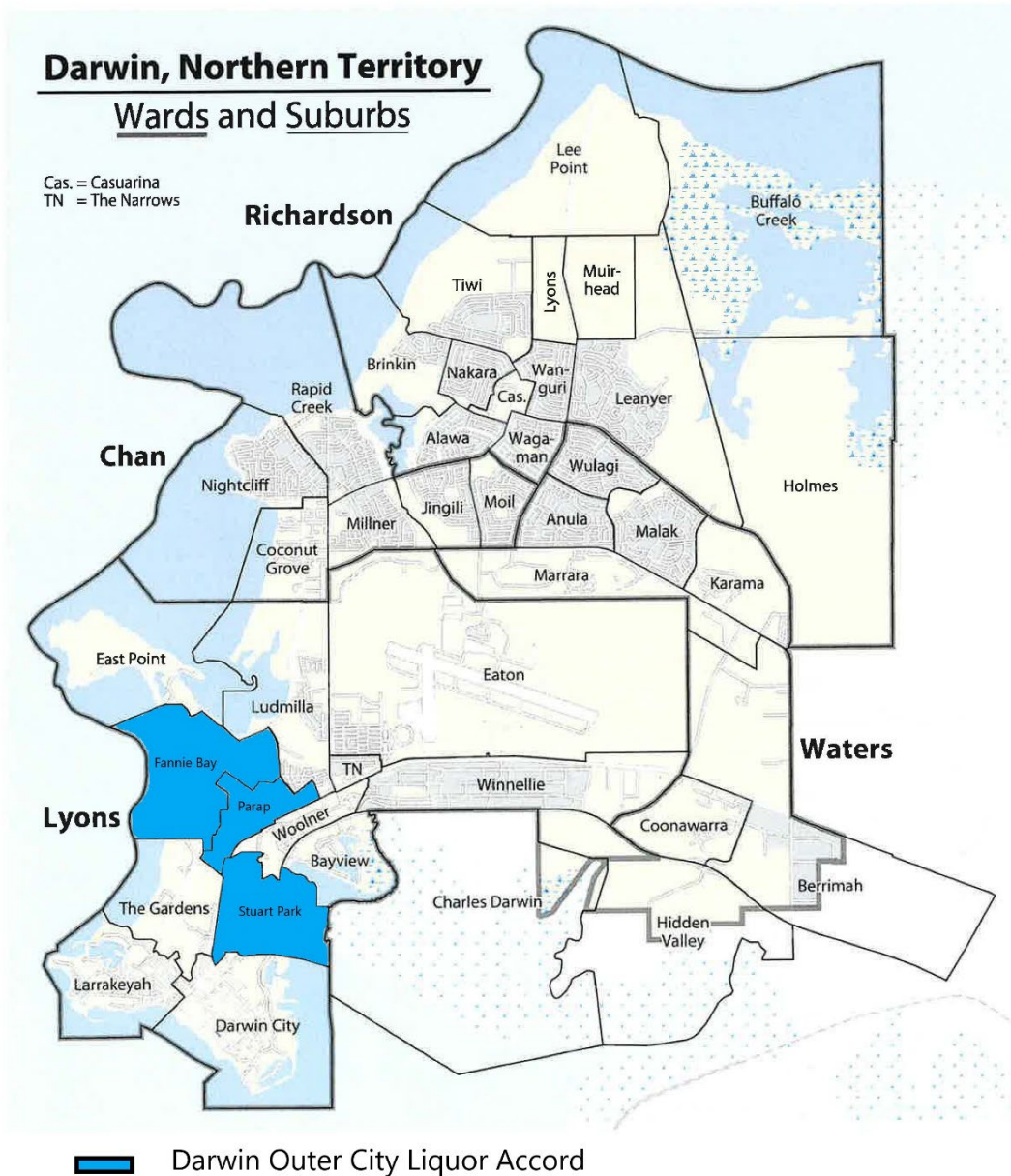
Where a customer produces a form of identification for BDR purposes that does not include a residential address the licensee is not required to automatically refuse the transaction.

Where a customer produces one of those forms of identification for BDR scanning purposes, the licensee is required to ask the customer where they intend to consume the liquor. If the licensee is satisfied by the response that the customer has a legitimate residence at which to consume the liquor the sale may proceed. Where the licensee is not satisfied by the customer's verbal response he/she may ask the customer to produce evidence of the legitimate residence at which they intend to consume the alcohol (for example: a hotel key). If the customer cannot produce the evidence requested the sale is to be refused.

Schedule 4 – City of Darwin Municipality



Schedule 5 – Darwin Outer City Liquor Accord Boundaries

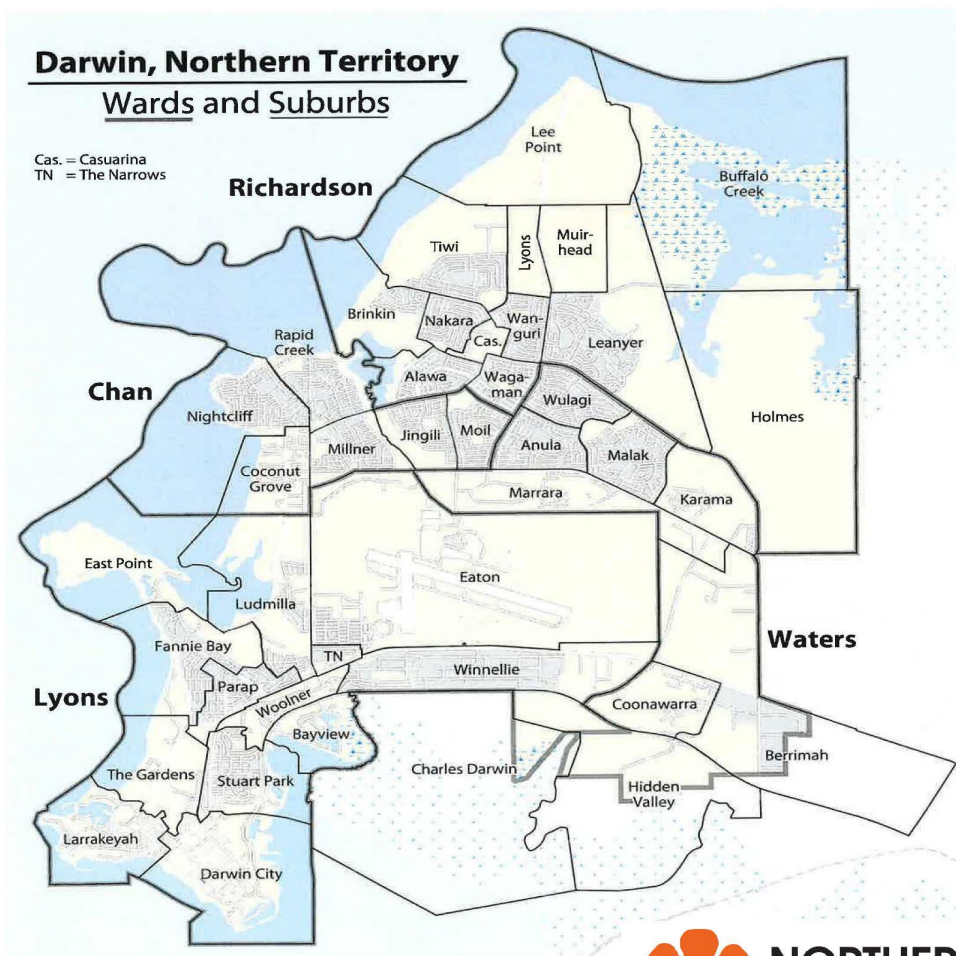


Schedule 6 – Liquor Accord Notice – Where do you intend to drink the alcohol you purchased?

Darwin Outer City Liquor Accord

This licensed venue is a member of the Darwin Outer City Liquor Accord. Members have agreed to adopt measures to address drinking in public places and anti-social behaviour, including asking customers who live outside the Darwin boundaries: **Where do you intend to drink the alcohol you purchased?**

If you live outside these areas, you will be asked.



Authorised by the Director of Liquor Licensing
DEPARTMENT OF INDUSTRY TOURISM AND TRADE

