Response to
Review of the Liquor Control Reform Act 1998

December 2016
Community Clubs Victoria (CCV) is an Industry Association representing Victoria’s not-for-profit, community clubs. As a member based peak body we have a strong interest in ensuring the right liquor licensing laws exist to support clubs and the broader hospitality industry.

We appreciate the opportunity to respond to the Consultation paper and advise that our response on behalf of Victorian clubs has been informed by feedback from our members. Clubs represent an important and unique sector of the liquor and hospitality sector and make a significant contribution to the social and economic life of Victoria.

A 2015 national Club Census\(^1\) conducted by KPMG highlighted that Victorian clubs generated revenue of $1.5 billion across their 2.3 million members. The $1.0 billion social contribution of clubs represents direct financial support, subsidised facilities and volunteer’s efforts. Clubs additionally employ approximately 28,000 Victorians in paid work, seven days a week.

A large number of clubs rely on alcohol sales to maintain financial viability. It is important therefore that any proposed reforms to the Liquor Control Reform Act 1998 (LCRA) have no unintended or deleterious impact on clubs.

**SUMMARY**

Community Clubs Victoria believes that there could be some minor changes to the LCRA provisions that would greatly reduce red tape and regulatory burden, without compromising the effectiveness of existing harm minimisation measures.

Modifications as suggested below to Full Club Licences and Temporary Limited Licences could be achieved in a manner that encourages compliance, through greater understanding of obligations, whilst at the same time supporting the responsible supply of liquor.

**FACILITATING A DIVERSE INDUSTRY AND REDUCING RED TAPE**

**REQUIRMENT FOR MULTIPLE LICENSES**

Clubs generally hold a

- Restricted or full club licence
- Renewable limited club licence
- Temporary limited licence
- BYO permit.

These categories broadly cater for the needs of clubs but difficulties arise where multiple licences are required for the same club footprint. As described in the Consultation Paper (Section 2.1.3),

\(^1\) KPMG 2015 National Club Census, August 2016, P 38.
there are some clubs for which up to four licenses are required and this is most commonly, but not exclusively, impacting golf clubs.

Club staff generally serve alcohol to members and guests of members, and are required to have completed appropriate Responsible Service of Alcohol training. To this end we see little risk in allowing a single liquor licence to cover all areas of the club footprint. This might well be best achieved by allowing non-members attending a pre-booked function or participating in a sporting or cultural event to be admitted without having to be signed in by a member.

This would greatly reduce administrative and processing requirements for both the club and the regulatory authority.

Case Study 1-Regional Golf Club

The current Red Line plan has two approved areas, the main clubhouse (Full Club Licence) and a very small area of the Golf course for the sale of Liquor to Golfers.

This area has been sublet to a contractor who sells food and drink for the convenience of golfers however as the contractor is not a member of staff, they had to apply for a section 105 consent.

This year for the very busy summer period, they are putting up a large, 12x6 Hoeker Marquee seating about 70 people. As the area is outside the current Red Line plan, they had to apply for a limited licence for a period of 4 months. This area is serviced from the Clubs bar and can only be entered from within the clubhouse.

The VCGLR advised that the club will need to apply for an extension of the current Red Line area to operate in that marquee next year. This will require a planning permit application to the Council followed by the application to the VCGLR, not necessarily expensive but very time consuming.

The club conducts many Golf Tournaments and have sponsored areas for CUB, local wineries and various other liquor suppliers. The Golf Pro also has a Xmas sale each year and has some champagne and beer for the members who buy a few items, but one of members who is the local licence inspector advised that a limited licence would also be required.

Case 2-Suburban Golf Club

This club has a Full Club licence and a Red Line Plan around the perimeter of their property.

Current licencing also requires them to apply for a Renewable Limited Licence to accommodate the supply of liquor for consumption at a pre-booked function conducted on their premises.

These are examples of where a single licence would be easier to manage and monitor without adding an unnecessary level of expense for not-for-profit organisations. Bowling clubs who now offer Corporate Bowling days or Barefoot Bowls can also be caught out if their Red Line plan only covers the clubhouse.
However, larger licenced areas attract a Venue Capacity Multiplier which has the effect of multiplying the cost of the base licence. Patron numbers for the Venue Capacity Multiplier are determined by either the total maximum capacity specified as a licence condition, or if no capacity is specified on the licence, the lesser of the numbers permitted under the relevant planning or occupancy permit.

It would be important to clubs that the development of a single licence to cover the entire clubrooms and grounds footprint, does not attract a disproportionately higher cost.

TEMPORARY LIMITED LICENCES

Many sporting clubs whose teams operate home and away seasons apply for Temporary Limited Licences. Clubs such as football, soccer and cricket clubs with unlicensed clubrooms need to apply for such licences and frequently do so at the start of their season, once the draw is published. The current system only allows three dates to be put on one application and eight weeks’ notice is required.

Case Study 3-Metropolitian Soccer Club

This club fields a State League side and throughout the season must complete applications for several Temporary Limited Licences (TLL). The current TLL allows for no more than six one off events at a venue over a 12 month period, and where an application is made for a series of events over a limited season, the season must not extend longer than six months.

This procedure creates unnecessary burdens and costs for sporting clubs participating in annual league competitions and as a consequence, barriers for compliance. Any changes to the current LCRA should accommodate annual applications covering the season and finals periods for sporting clubs.

SCHEDULE 1

As a condition of holding a club licence, a club’s rules must comply with Schedule 1 of the LCRA 1998. CCV contends that this Schedule imposes a set of obligations on licence holders that may need modernised and re-written in a more easily understood manner.

Many sections are inflexible and do not adequately accommodate the manner in which clubs currently operate. For example a golf club wishing to accommodate a temporary green fee player, or a non-member attending a wedding function at the club.

The requirement in section (f) that the committee of the club be elected by not less than 60% of the total membership (excluding temporary or honorary members) may not reflect the wishes of members. We are unsure why this level of membership voting has been set so high and therefore CCV suggests that this section should be amended to be more closely aligned with the 2012 Model Rules for an Incorporated Association, which requires a minimum of 10% of the membership to vote at meetings.
HARM MINIMISATION

The LCRA goal is to minimise harm arising from the consumption of alcohol. There are various processes and controls in place to achieve this objective and CCV would argue that from a licensed clubs perspective, these are working well.

Clubs generally provide a low risk, healthy club culture and depending on their licence type, they currently

- Undergo a rigorous licensing process
- Must adhere to conditions attached to their licence
- Ensure staff undertake Responsible Service of Alcohol training
- Display all required signage

As well, the majority of clubs are also subject to a sign-in rule which provides another layer of supervision of the members and member’s guests who may consume alcohol on the club premises.

Anecdotally, this results in clubs experiencing less disorderly conduct from inebriated patrons than other licensed premises. Many clubs also have a member’s code of conduct which precludes intoxicated members from being on club premises.

The suggestion that clubs provide a more benign environment for liquor consumption is evidenced by a review of the Victorian Commission for Gambling and Liquor Regulations Demerits Register\(^2\) (December 7 2016), which indicates that of the 58 Licences/permits with demerit points, only two club premises had current demerit points and of the 78 demerit points only 4 were from those two clubs.

Many clubs actively participate in liquor forums and accords to collaboratively develop strategies to reduce alcohol-related harm in their local area.

We would therefore suggest that in respect of clubs, the current harm minimisation controls and processes along with clubs own internal rules, are currently meeting the LCRA’s harm minimisation’s objectives and require no further modifications.

If you require more information on the information contained in this document, please contact Leon Wiegard at leon@ccv.net.au or 0418 334 664