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**Wyndham City**

**Liquor Licensing Accord**

*Terms of Reference 2022-2027*

**Version:** V2.2 – March 2022

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#

# **Introduction**

The Wyndham Liquor Accord brings together licensees of hotels, licensed restaurants, cafes, clubs, packaged liquor outlets, cinemas and sporting clubs in order improve public safety and amenity within Wyndham City by promoting and driving the responsible service, sale and consumption of alcohol.

The accord provides a consistent framework and pledge to abide by relevant guidelines of responsible and safe service of alcohol and best practice venue management, to maximise the safety and enjoyment of staff, patrons and community focusing on risk mitigation and harm minimisation.

The Accord is supported by Victoria Police, the Victorian Gambling and Casino Control Commission (VGCCC) and Wyndham City Council.

The Wyndham Liquor Accord was first established in 2018 with revised Terms of Reference developed in 2022. The role of the Wyndham Liquor Accord Executive is to oversee and guide the direction of the Wyndham Liquor Accord in keeping with the principles outlined within the Accord.

# **Objectives**

1. Promote the City of Wyndham and its licensed venues as a safe, responsible and vibrant place to enjoy social activities.
2. Drive best practice management by Accord members in line with the Wyndham Liquor Accord guidelines, the *Liquor Control Reform Act 1998* and other related legislation.
3. Build and support a partnership between licensees, Victoria Police, Wyndham City Council, VGCCC and other stakeholders that demonstrate a commitment to social responsibility, collective action and reducing alcohol-related harm through collaborative action and initiatives.
4. Share and manage local information on banned and recidivist offending patrons in keeping with VGCCC Guidelines and relevant legislation.
5. Provide a consistent approach and guidelines to safe service and sale of alcohol and reduce alcohol related crime in Wyndham.

# **Liquor Accord Membership**

Membership is open to all licensees, or approved delegates, for onsite consumption or packaged liquor within Wyndham City who are willing to support and abide by the aims, objectives, and principles of the Wyndham Liquor Accord.

# Application for membership must be made by written request in the approved template provided by the Wyndham Liquor Accord executive and accepted by the executive. Applications must be made by the licensee or designated representative approved by the licensee and supported to represent the licensee.

# **Executive Membership 2022**

The executive membership will comprise representatives from Victoria Police and Wyndham City Council.

### *Chair and decision-making*

An Executive member will chair the meeting on a rotational basis.

The Chairperson will ensure that:

1. Meetings are conducted in a way that is inclusive and conducive to good decision making;
2. Decisions and recommendations provided are reached by consensus following an appropriate level of discussion; and
3. The Vision and Objectives of the Wyndham Liquor Accord are maintained at all times.

### *Secretariat*

Victoria Police or Wyndham City Council will provide secretariat support to the Committee which includes the preparation and distribution of meeting agendas and minutes.

### *Review of Terms of Reference*

The Terms of Reference will be reviewed every 12 months at the first meeting of each calendar year, or as required should critical changes be deemed necessary to better support the objectives or management of the Accord. Any changes are to be approved by the executive membership and presented to the Accord membership for ratification.

# **Wyndham Liquor Accord Stakeholder Commitments**

The success of the Wyndham Liquor Accord relies on commitment from critical partners adhering to key responsibilities including but not limited to;

### *Licensees*

* Promote and support the Wyndham Liquor Accord.
* Work with the other stakeholders and accord members to assist in maintaining compliance by licensees with relevant laws, licensing regulations and licence conditions.
* Participate in meetings and the monitoring and evaluation of the Wyndham Liquor Accord.
* Work in partnership with other stakeholders in related community projects relating to community safety, public amenity and alcohol and gambling harm minimisation.

### *Wyndham City Council*

* Promote and support the Wyndham Liquor Accord.
* Support enforcement activities that encourage safe & responsible consumption of alcohol including physical security deterrents.
* Work with other regulatory authorities to ensure all licensed venues are monitored for compliance with relevant laws, licensing regulations and conditions and approvals prioritise community safety.
* Participate in the monitoring and evaluation of the Wyndham Liquor Accord.
* Work in partnership with key stakeholders in community safety initiatives and related community projects.

### *Victoria Police – Wyndham Police Service Area*

* Monitor compliance of licensed premises with the requirements of the *Liquor Control Reform Act 1998* and other relevant legislation.
* Provide approved data sets and information to the Wyndham Liquor Accord relating to alcohol management and related crime.
* Maintain membership of the Wyndham Liquor Accord.
* Oversight the monitoring and evaluation of the Wyndham Liquor Accord.
* Work in partnership with key stakeholders in community safety initiatives and related community projects.

### *Victorian Gambling and Casino Control Commission*

* Monitor compliance of licensed premises with the requirements of the *Liquor Control Reform Act 1998* and other relevant legislation.
* Provide on-going support and guidance for the Wyndham Liquor Accord, licensees and their managers, on the requirements of the *Liquor Control Reform Act 1998.*
* Support the Wyndham Liquor Accord by providing a monthly newsletter, up-to-date information and advice, and attend meetings where possible

# **Acknowledgement & Obligations**

Licensees or nominated representatives committing to membership of the Wyndham Liquor Accord do so voluntarily and as a good faith commitment to supporting the Accords aims and objectives. Accord members are not bound by additional commitments outside of compliance with legislative requirements within the liquor industry.

# *Appendix A*

### **Wyndham City**

### **Liquor Licensing Accord**

### **Licensee Guidelines**

**Responsible Service of Alcohol**

Licensees should ensure the below RSA principles are enforced as a baseline;

* Ensure sure all staff are trained in RSA within one month of commencing employment and undertake the VGCCC online Refresher course every three years.
* Training provided to staff on how to deal with difficult customers and refuse service to intoxicated patrons.
* Display the VGCCC RSA Principles poster in staff room.
* Discourage glass containers in the toilets or on the dance floor to reduce both intentional and accidental injuries.

**Responsible Advertising Principles**

This section is about mandatory signage and promotions which contradict responsible service & consumption of alcohol. This includes in-house, social media or external promotors employed for certain events.

* Refrain from pricing practices or promotions that encourage rapid consumption of alcohol or alcohol abuse.
* Adhere to the VGCCC [Guidelines for Responsible Liquor Advertising and Promotions.](https://www.vcglr.vic.gov.au/sites/default/files/cd_22_1525_attachment_c_-_final_revised_responsible_liquor_advertising_and_promotion_guideline_dlt_converted1_3.pdf)
* Avoid ‘happy hours’ or keep to 1 hour per day.
* Promote and ensure free water is available for patrons.

**Intoxication**

* Ensure security and/or bar staff are aware of [VGCCC Intoxication guidelines](https://www.vcglr.vic.gov.au/sites/default/files/Intoxication_guidelines.pdf.pdf)
* Remind staff about the early signs of intoxication and the importance of intervening early.
* Promote non-alcoholic beverages and snacks.
* Encourage patrons to drink responsibly and let them know they will be asked to leave if they become drunk, violent or quarrelsome.

**Crowd Controllers**

* Ensure crowd controllers have a current licence under the Private Security Act 2004
* Maintain a crowd controller’s incident register (separate to in-house incident book).
* Conduct regular security briefings around expectations and standards
* Entry practices conducted in and orderly & consistent manner to minimise external conflict
* Check ID of all patrons appearing under 25 years of age
* Conduct external perimeter checks to ID potential risks

**Minors**

* Prominently display VGCCC required signage about restrictions on minors.
* Unequivocal compliance with *Liquor Control Reform Act 1998* relating to staff and patrons under 18 years of age
* Staff education on the definition of a ‘responsible adult’.

**Administration**

* Display current liquor licence in a position which invites public attention.
* Ensure all staff have read and are aware of the conditions of your liquor licence and your red line plan.
* Ensure correct VGCCC required signage is on display.
* Maintain a directory of neighbouring venues - to be used in the event of ejecting patrons or refusing entry to patrons.
* Record all incidents in an incident register book, noting time, date and staff member involved in incident if applicable.

**Acceptable Identification**

* Check for approved proof of age ID prior to entry. Acceptable forms of ID are:
	+ Australian driver licence
	+ Victorian learner permit
	+ Proof of age card
	+ Keypass card (incl. Digital iD)
	+ Australian or foreign passport.
* Foreign driver licence in the English language or if not in the English language, must be accompanied by an official English translation or an International Driving Permit
* Victorian marine licence
* Apply the following standards when checking ID:
	+ Remove ID from wallet/purse and hold the ID.
	+ Check date of birth is accurate and has not been tampered with (check the back of the ID as well).
	+ Photo matches the person presenting the ID, paying close attention to physical features & ensure untampered with
	+ Confiscation of & reporting to police of false / defaced ID

**Management of Events**

Victoria Police via the local Liquor Licensing Inspector and portfolio holders of any special events (live entertainment or other) likely to cause a significant increase in patronage or is targeted towards a specific demographic, cultural group or create any other notable increase in the risk profile internally or externally of the venue. Consider;

* Using plastic glasses to reduce glass injuries.
* Employing extra crowd controllers.
* Having a designated safety and first aid officer on shift throughout

**Staff Training**

As members of the Wyndham Liquor Accord Licensees should demonstrate and active commitment to induction, ongoing and emergency training for all staff members involved in the service of alcohol or security arrangements including practice drills & exercises.

**Amenity**

* Encourage phased and orderly exit of patrons from premises when closing.
* Ensure entrances and exits are well lit and clear, and that immediate surrounds are safe and allow good visibility.
* Minimise noise generating from the premises e.g. doors kept closed, be mindful of noise from beer gardens/courtyards.
* Assist patrons in accessing safe transportation out of the area.
* Display signage about patrons respecting the neighbours when departing the venue.
* Ensure rubbish in the surrounding area of the venue is removed after closing.
* Be considerate of neighbouring premises / residents

**CCTV**

Ensure CCTV equipment is serviced regularly, operable and staff know how to access and provide copies of footage when required by police.

VGCCC Accord Banning Guidelines

The *Liquor Control Reform Act 1998* provides that two or more licensees or permittees may enter into a liquor accord with the approval of the Chief Commissioner of Police and the Victorian Gaming and Casino Control Commission (**VGCCC**), for the purpose of minimising harm arising from the misuse or abuse of alcohol.

The terms of a liquor accord may make provision for licensees or permittees to cease to supply liquor or allow the consumption of liquor at their licensed premises or ban access to the premises by the public or individual members of the public.

Liquor accord bans should be implemented only for the purpose of minimising harm arising from the misuse and abuse of alcohol in relation to behaviour that has occurred in or around licensed premises. It is recommended that parties to an accord:

* ensure that a decision to ban is fair and reasonable, providing the banned person with an opportunity to respond to or apply for the reconsideration of the decision to ban them;
* ensure that a ban is non-discriminatory and made for a clear harm minimisation purpose;
* ensure that the privacy of personal information in relation to banned persons is maintained;
* ensure that a ban complies with the provisions of the [Charter of Human Rights and Responsibilities Act 2006 (Vic);](https://www.legislation.vic.gov.au/in-force/acts/charter-human-rights-and-responsibilities-act-2006/014)
* do not ban persons for unreasonable periods of time (maximum 12 months) unless clearly justified by the circumstances; and
* appropriately notify the subject of a ban that a decision has been made to exclude them.

From 31 January 2022, the maximum period for which a person may be banned under a liquor accord is 12 months.

A licensee or permittee may consult Victoria Police to assist it with developing or enforcing a liquor accord.

## Release of information for the purpose of enforcing an accord ban

The Commission or a police officer may disclose to a licensee or permittee who is a party to a liquor accord that contains a liquor accord ban information about a person who is the subject of a ban. It is a criminal offence for a person to use or disclose any information received from us or Victoria Police regarding banned persons except for the purposes of enforcing a liquor accord ban or other purposes required by law, with a maximum penalty of 60 penalty units. (Refer to Section 146DA of the *Liquor* *Control Reform Act 1998*)

Information will only be disclosed by the VGCCC in accordance with section 146D of the *Liquor Control Reform* *Act* *1998* wherenecessary for the purposes of the effective and efficient enforcement of the ban. When determining whether to disclose information, the VGCCC may require a party to an accord to undertake not keep the information private.

### *Appendix B*

### **Wyndham Liquor Accord**

### **Membership**

|  |
| --- |
| **Executive Representatives**  |
| ***Organisation*** | ***Name*** | ***Org Position*** | ***Exec Role*** | ***e-mail*** | ***Contact#*** | ***Commenced*** |
| Vic Pol | Insp Darren Bentley | Wyn LAC  | Chair | Darren.bentley@police.vic.gov.au |  |  |
| Vic Pol | A/Insp Stephen HAYES | Wyn LAC | Exec Member | Stephen.hayes@police.vic.gov.au |  |  |
| Wyndham City Council |  |  | Secretariat |  |  |  |
| Licensee/Stakeholder |  |  | Exec Member |  |  |  |
| Licensee/Stakeholder |  |  | Exec Member |  |  |  |
|  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |
| **Wyndham Liquor Accord Members *Last Updated****:* 24/02/2022 |
| ***Venue*** | ***Licensee***  | ***App Delegate*** | ***E-mail*** | ***Contact #*** | ***Member Req***  | ***Member Approved*** |
| Werribee Plaza Tavern | Debbie KURTOV | Debbie KURTOV |  |  |  |  |
| Werribee Plaza Tavern | Debbie KURTOV | Chavelle TUALII-WILLIAMSON |  |  |  |  |
| Sanctuary Lakes Hotel | Roger OKALYI | Roger OKALYI |  |  |  |  |
| Sanctuary Lakes Hotel | Roger OKALYI | Nicole CHASE |  |  |  |  |
| The Commercial Taveerner | Kate SHAW | Kate SHAW |  |  |  |  |
| The Phoenix Hotel | Mary NOVACIC | Mary NOVACIC |  |  |  |  |
| Hotel 520 | SAYERS PROPERTY HOLDINGS P/L | Julie SHLETON |  |  |  |  |
| Hotel 520 | SAYERS PROPERTY HOLDINGS P/L | Jason DOWE |  |  |  |  |
| The Brooke Hotel | Tamara EYRE-WALKER | Tammy EYRE-WALKER |  |  |  |  |
| The Brooke Hotel | Tamara EYRE-WALKER | Griffin STEVENS |  |  |  |  |
| Werribee Racing Club | Adam WILKINSON | Pare PARATA-WARU |  |  |  |  |
| Werribee Racing Club | Adam WILKINSON | Adam WILKINSON |  |  |  |  |
| The Park Hotel | Nicholas CHRISTOU | Nick CHRISTOU |  |  |  |  |
| Hoppers Crossing Sports Club | HOPPERS CROSSING SPORTS CLUB INC | George CSIFO |  |  |  |  |
| WynCity Bowl & Entertainment | Jonathon DE PELLIGRIN | Jonathon DE PELLIGRIN |  |  |  |  |
| Werribee RSL | John KOT | John KOT |  |  |  |  |
| Werribee RSL | John KOT | Rachel GUADLINGER  |  |  |  |  |
| Bridge Hotel | BRIDGE HOTEL WERRIBEE P/L | Stephen MITCHELL |  |  |  |  |
| Lovesick Bar/Restaurant  | Ben RICKMAN | Ben RICKMAN |  |  |  |  |
| AVS Security Pacific Werribee | N/A | Henry ENE |  |  |  |  |
| IPC Health | N/A | Belinda OPIE |  |  |  |  |
| BWS Williams Landing | Conor HUGHES | Conor HUGHES |  |  |  |  |
|  |  |  |  |  |  |  |