City of Whittlesea Liquor Accord

A collective approach to enhance health, happiness, wellbeing and safety in the City of Whittlesea, by reducing the misuse and abuse of alcohol.



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Version 1

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City of Whittlesea Liquor Accord

Document Index

AIII	4
Objectives	4
Neighbourhood Policing Framework	5
Best Practice	6
Definitions – Intoxication & Drunkenness	7
Terms of Accord	7
Liquor Control Victoria Accord Banning Guidelines	8
Strategies	9
Responsible Service of Alcohol	9
Acceptable Forms of identification	9
Underage drinking	9
No intoxicated patrons	9
Advertising and/or Promotions	9
Staff Training and development	10
Safety and Security	10
Safe Environment/Signage	10
Crowd Control – Security Personnel	11
Maintain records of Incidents and have regular communication with Police	11
Patron and Premises Safety	12
New Year's Eve initiatives/events	12
Alcohol Exclusion Orders	12

Detriment to	the Amenity	12				
Improve the	local amenity	12				
Patron Respo	nsibility	13				
Packaged Lig	uor Outlets	13				
i donaged Eiq		10				
Signage		13				
Minors on pr	emises	13				
Sale by mean	ns of mail, facsimile, telephone, or the internet	14				
Contact Deta	ils	14				
Self-Audit Ch	ecklists	15				
	Appendices					
Appendix A	Self-Audit Checklist designed to access the effectiveness of the licensee's commitment to 'Responsible Service of Alcohol'	13				
Appendix B	Self-Audit Checklist designed to access the effectiveness of the					
Appendix C	licensee's commitment to 'Safety and Security' Self-Audit Checklist designed to access the effectiveness of the	14				
	licensee's commitment to 'Detriment to the Amenity'	15				
Appendix D	Self-Audit Checklist designed to access the effectiveness of the licensee's commitment to 'Packaged Liquor Outlets'	16				
Appendix E	Appendix E Certificate Commitment22					

Aims

- To promote positive and effective community-based strategies aimed at: -
- Reducing crime, anti-social behaviour and any alcohol related harm caused by the misuse and abuse of alcohol.
- Enhancing the health, happiness, safety and wellbeing of residents and visitors to the City of Whittlesea
- Maintaining high levels of compliance and appropriate conduct by licensees, employees and patrons of licensed premises relating to responsible service, sale and consumption of alcohol.

Objectives

The following three objectives are overarching

- Encourage a constructive working relationship between Police, Liquor Control Victoria (LCV), licensed premises, council, patrons and the local community.
- Promote responsible service of alcohol in all licensed venues.
- Increase the safety and perception of safety in and around licensed venues.

The following objectives are designed specifically to prevent excessive alcohol consumption:

- 1) Eliminate practices that lead to the misuse and abuse of alcohol and to minimise the incidence of periodic heavy or binge drinking.
- 2) Eliminate illegal under-age patronage at all licensed premises.
- 3) Adopt and support the Responsible Service of Alcohol Program and implement that throughout the industry.
- 4) Maintain a free and competitive market between licensed venues whilst eliminating the promotions and practices that encourage the irresponsible service and consumption of alcohol and abide by the Responsible Liquor Advertising and Promotion Guidelines.
- 5) Adopt practices that will encourage all licensees to self-regulate and foster a partnership between the Liquor Industry, Police, Council and other agencies to achieve positive outcomes.

- 6) Create a safe environment in and around licensed premises through a commitment to staff training and the proper use of professional crowd controllers.
- 7) To promote the City of Whittlesea area and its licensed premises as safe and enjoyable locations for all persons including staff and patrons.
- 8) To evaluate the effect of alcohol and other factors on crime, violence and anti-social behaviour, with a view to develop measures to minimise their adverse effects.

Neighbourhood Policing Framework

It is important to remember that a Liquor Licence Accord should be driven by licensees and community representatives. In this forum, issues, concerns or triumphs are shared by all contributors. It is also a platform to discuss areas where change may occur through legislation, community input and or community concerns.

Victoria Police are one representative body and should not be a primary driver in accountability and continuance. Victoria Police should however support the Liquor Licence Accord in encouraging perpetuation and providing relative guidance in what issues may need to be informed to or addressed by the overarching body.

Other key community representatives can include:

- Liquor Control Victoria Rep
- Neighbourhood Policing Local Safety Committee
- Council Rep
- Licensee Reps
- Victoria Police Rep
- Fire Rescue (if applicable to amenity safety)
- AV or local hospital representative (if applicable to issues raised around attendance or treatment arising from an incident at a local venue)
- Health representatives (if applicable)

Best Practice

- In order to achieve the best possible outcomes from this Liquor Accord, management of all licensed premises should adopt the following set of best practices:
- Insist on the production of <u>acceptable evidence of age documents</u>, as specified by the *Liquor Control Reform Act 1998*, for entry to all licensed venues where appropriate.
- Other than as provided by licensing laws (i.e. on licensed premises to have a meal or attend cafes during trading hours), deny under-age attendance on, and discourage under-age attendance at or near licensed premises.
- Detect and prevent incidents of under-age consumption of alcohol (this includes refusing the supply of alcohol to persons who a licensee believes may be providing alcohol to under-aged persons illegally).
- Encourage and reinforce the principles of RSA.
- Ensure water and non-alcoholic drinks are readily available (tap water is to be made available free of charge).
- Ensure refreshments (food) are readily available on the licensed premises for purchase on request at any time (this is a legal requirement under section 99 of the Liquor Control Reform Act 1998).
- Ensure Licensed Crowd Controllers perform their duties in a professional manner, maintain an interest in checking the bona fides of patrons, and identify problem patrons at an early intervention stage.
- Encourage staff to undertake training that will raise the professional standards of all venues.
 - Once staff have completed an initial Nationally Accredited RSA course –
 SITHFAB002 they must complete a free online refresher course every three years
- Ensure the amenity surrounding each licensed premise is protected by actively addressing the issues, including noise, that impact on the local area. Licensees should communicate with Police, Council and surrounding business owners and residents to achieve this outcome.
- Co-operate with police, Council and fellow operators to ensure this accord can be effectively implemented across the City of Whittlesea.
- Ensure emergency evacuation procedures are in place and practiced by staff.
- Trained first aid staff member to be on premises during operating hours.
- Support alcohol harm minimisation

Build local alcohol stakeholder partnerships.

Useful resources

Guidelines for Responsible Liquor Advertising and Promotions booklet.

Start of season self-audit

Licensee Q&A

Licensees' Action Plan

Safe function guidelines fact sheet

Definitions

Intoxication

- For the purposes of the Act, a person is in a state of intoxication if his or her speech, balance, co-ordination or behaviour is noticeably affected and there are reasonable grounds for believing that this is the result of the consumption of liquor.
- Intoxication guidelines contain information about how to determine if a person is n a state of intoxication and how to refuse service.

What Is Drunkenness

• Whilst there is no specific definition of "drunkenness", the Police do not need to conduct a breath analysis to prove that a person is intoxicated. "Drunkenness" is defined as a state where the person's mental or physical faculties or judgement are materially impaired in the conduct of the ordinary affairs of life. In deciding whether a person is drunk the Court must consider what an ordinary person would consider as being "drunk".

Terms of Accord

- Adhere to the practices outlined in the City of Whittlesea Liquor Accord
- To facilitate and encourage open and regular communication with stakeholders in relation to alcohol harm issues within the City of Whittlesea
- To participate in regular meetings with stakeholders at the location agreed upon by all stakeholders
- To demonstrate a cooperative approach to developing solutions and achieving best practice in alcohol harm minimisation
- To work together to implement strategies to reduce harm.
- This Accord (City of Whittlesea Liquor Accord) has an expiry date of 01.07.2024. Six months prior to the 01.07.2024, this Accord must be submitted to all Accord members for review, amendment and update as required.

		Date	/	/2023
Police Licensing Inspector.	Licensee/Nominee.			

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 Liquor Control Victoria (**LCV**), 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 <u>Charter of Human Rights and</u> Responsibilities Act 2006 (Vic);
- 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 LCV in accordance with section 146D of the *Liquor Control Reform Act 1998* where necessary for the purposes of the effective and efficient enforcement of the ban. When determining whether to disclose information, the LCV may require a party to an accord to undertake to not keep the information private.

Strategies

Responsible Service of Alcohol

Acceptable forms of identification

- Australian driver licence
- Victorian learner permit
- Foreign drive licence in the English language or if not in the English language, must be accompanied by an official English translation or an International Driver Permit
- Victorian proof of age card or an equivalent from another sate or territory of Australia
- Keypass card (including digital keypass)
- Australian foreign passport
- Victorian marine licence

Underage Drinking / identification

- Actively monitor all patrons by checking proper proof of age ID at the door
- Younger patrons who fail to produce proper ID will be refused admission
- Prominently display liquor licensing signage regarding restrictions on person under the age of 18 years
- Younger patrons who produce false ID will have the document seized and forwarded to police (with the exception of Victorian Driver Licence)
- If staff believe that a document being presented is false, defaced or in the possession of a person
 who is not the owner of the ID, then the document will be confiscated and forwarded to the
 police (except Driver Licence)
- When checking ID, the ID is removed from a wallet/purse or cardholder and held by the staff member conducting the check to ensure it is current and an approved form of identification
- If an approved form of ID is requested and not supplied at a packaged Liquor outlet, no sale will be permitted to take place
- If an approved form of ID is not supplied, no admittance to the premises is to be permitted.
- During School leaver's period (around November) increase vigilance in checking identification to identify underage patrons.

No intoxicated patrons

- Refuse service of alcohol to any patron showing signs of intoxication
- Refuse entry to all intoxicated patrons
- Encourage patrons to drink responsibly and let them know they will be asked to leave if they become intoxicated, disorderly, violent or quarrelsome
- Ensure bottled water is offered and free tap water is available for patrons
- Notify crowd controllers of patrons who are showing signs of intoxication so that crowd controllers can monitor and manage the situation
- Refer to the LCV <u>Intoxication guidelines</u> for information about how to determine if a person is in a state of intoxication and how to refuse service

Advertising and/or Promotions

- Prohibition on marketing that encourages rapid consumption of alcohol
- Ensure drinks are served at standard measures
- No promotions or functions designed to attract underage patrons
- Restrict serving of doubles unless explicitly requested by the patron consuming the drink
- At all times, offer and promote the availability of low-alcohol drinks through signage
- Promote reasonably priced snacks throughout operating hours
- Happy hours will be kept to a minimum of two hours per day, per venue operation and will be completed by 8.00 pm on any operating night
- Refer to the LCV 'Responsible liquor advertising and promotions' guidelines

Staff Training and Development

- Ensure staff, who are employed to serve and supply alcohol, complete the Nationally Accredited RSA course (SITHFAB002) within 1 month of commencing employment
- Complete the RSA Refresher program every three years
- The licensee ensures that any person under 18 years of age who is employed to work on licensed premises is not involved in the sale or supply of liquor other than in an LCV approved training program
- A list/register of all persons under the age of 18 years of age who are employed on the premises
 is maintained by the licensee and is available upon request for viewing by an authorised officer of
 the Victorian Police
- Keep copies of the latest RSA certificates on the licensed premises and make them easily accessible by staff when requested by Police or LCV Inspectors
- Provide regular updated information to all staff regarding the Accord and related responsible service of alcohol and harm minimisation policies and practices
- Ensure strict reference checks are conducted on all staff in the context of good recruitment practices, including security staff
- Ensure all staff have access to relevant literature on the Accord, liquor laws and regulations
- Provide new staff with "In House Induction" to ensure that they have a clear understanding of the licensee's legal obligations
- Ensure staff are trained appropriately to advise patrons when they will be no longer be served and will be asked to leave the premises
- Provide ongoing staff development in areas such as:
 - First Aid
 - Dealing with aggressive and intoxicated persons

- Liquor Law and Regulations
- RSA Principles

A self- Audit check list designed to access the effectiveness of the licensee's commitment to "Responsible Service of Alcohol" outlined attached (*Appendix A*)

Safety and Security

Safe Environment / signage

- Clearly display signage that details acceptable and unacceptable behaviour on premises
- Display liquor licence and required signage prominently
- Ensure the red line plan is available for viewing on request
- If applicable, policies and procedures that relate to responsible gambling are displayed
- Discourage glass in toilets or on dance floor to reduce both intentional and accidental injuries
- Investigate use of plastic glasses or shatter proof glassware that can not be broken and used as a weapon
- Ensure CCTV equipment as per licence conditions is operating efficiently and staff know how to access footage if requested
- Staff to be clearly identifiable
- Encouraged to have trained first aid staff on the premises during operating hours (where possible)
- Entrances and Exits to be well lit and immediate surrounds are safe and allow good visibility
- Ensure emergency evacuation procedures are in place and all staff are trained in these procedures and the procedures are available upon Police request
- Allow access by police to CCTV footage on request if applicable
- Notify local police in advance regarding any special events likely to significantly increase the number of people in the area
- Maintain a close liaison with local police, Whittlesea City Council and other Accord members on measures to improve public safety in and around licensed premises
- Conduct regular WorkSafe crowd control safety and security risk assessments of premises and immediate surrounds
- Where possible stock liquor in unbreakable containers, such as cans or plastic bottles, instead of glass bottles
- Prevent criminal activity and disorderly conduct from occurring on premises. Notify police immediately if something illegal or suspicious does occur
- When required, agree to implement additional or local strategies that relate to specific safety and security issues in and around the premises. These strategies will be negotiated as part of the City of Whittlesea Liquor Forum.

Crowd Control – Security Personnel

- Provide qualified and experienced crowd controller as per licence requirements
- Always wear clear ID with visible security numbers
- Crowd controllers to hold a current security licence
- Ensure full details of any incidents are recorded in the Incident Book/Register
- Immediately contact police to inform them of anti-social behaviour or disturbances in the vicinity
- Crowd controllers to manage patrons waiting to enter the licensed premises and ensure that the amenity of the area is not impacted as required by the licence.
- Provide public transportation information available including taxis, buses and car parking for patrons and location of the nearest public telephone
- Assist in patrons accessing safe transportation out of the area
- Uphold any statutory requirements relating to the security personnel.

Maintain records of Incidents and have regular communication with Police

- Maintain an incident Book/Register of all types of incidents that occur in and around the premises that include the time, date and nature of the incident and the response taken by the staff and management
- Ensure all staff are familiar with the Incident Book/Register and are aware of how to use it when required
- Ensure close liaison and open communication with all City of Whittlesea Liquor Accord Stakeholders and notify other venues of problematic patrons.
- Advise Victoria Police in advance of any events likely to increase patronage.

Patron and Premises Safety

- Maintain a current list of emergency phone numbers and locate close to all key phones
- Ensure that the maximum capacity numbers of patrons are always adhered to
- Train all staff to know procedures and emergency numbers and how to use the Incident Book/Register
- Ensuring the telephone listing, for communications with security at other venues is routinely updated.

A Self-Audit Checklist designed to access the effectiveness of the licensee's commitment to 'Safety and Security' outlined attached (*Appendix B*)

New Year's Eve initiatives/events

- Licensees will restrict the sale of alcohol to non-glass products where possible to reduce glass injuries
- Employ extra crowd controllers as required
- Where applicable have a first aid officer on shift throughout New Year's Event

Detriment to the Amenity

Improve the local amenity

- Assist patrons in accessing safe transportation out of the area. For example, door staff can
 provide information about access to the supervised taxi rank and encourage patrons to use this
 quickly and quietly when departing
- Minimise noise generated from the premises wherever possible, keep doors closed
- Educate patrons, including through signage about the need to respect the local amenity and to arrive and depart the area in a quiet and orderly manner
- Prevent the unlawful removal of liquor (other than packaged liquor where permitted) from licensed premises
- Ensure door and security staff, are briefed on local environmental issues, including potential traffic, noise or security problems
- Ensure police are informed of regular closing hours and any variations, such as special events or new activities
- Record legitimate complaints in the Incident Book/Register, respond to resident concerns and take all reasonable steps to ensure the premise as a 'good neighbour'
- Communicate with neighbouring premises to discuss any common issues surrounding the premises
- Each venue to be pro-active in cleaning up the streets and doorways around the premises
- Crowd controllers to monitor behaviour of patrons outside premises to ensure that there is no negative impact on the amenity of the area as required by the licence
- Patrons not to leave premises with any alcohol in open containers, unless legally permitted to do
- Crowd Controllers to remain outside the premises for a set time after closing to ensure patrons move on from venue as required by the licence.

Patron Responsibility

- Post signage that clearly explains licensee and patron responsibility regarding the responsible service of alcohol
- Encourage patrons to dispose of any litter or other waste in rubbish containers before entering or upon leaving premises

A Self-Audit Check list designed to access the effectiveness of the licensee's commitment to "Detriment to the Amenity" outlined attached (*Appendix C*)

Packaged Liquor Outlets

Signage

- The following signs are displayed in a manner that invites customers' attention:
- "Under 18 no supply"
- "Intoxicated, Drunk, Disorderly" and
- "Do not attempt to buy liquor for under 18's"
- Must comply with the Packaged liquor Code of Conduct, including having a 'House Rules' document for their premises and displaying the free call number for DirectLine.

The following information is displayed prominently in packaged liquor outlets:

- Signage relevant to the Whittlesea City Council Local Laws that prohibits the consumption of alcohol in designated areas.
- Display liquor licence and ensure the red line plan is available for viewing on request.

Minors on licensed premises

- Minors are not permitted on the licensed premises unless they are:
 - with a 'responsible adult'
 - having a meal
 - the premises have a Restaurant and Café Licence and it is prior to 11.00pm
 - employed by the licensee but not involved in the supply of liquor
 - completing a training program in hospitality approved by the LCV
 - a resident of the premises

A 'responsible adult' is defined as a person who is over 18 years of age and who is:

- The younger persons parent, stepparent, guardian, grandparent or spouse
- a person who is acting in place of a parent and who could reasonably be expected to exercise responsible supervision of the younger person
- Where there are reasonable grounds for considering that an adult is purchasing alcohol for a minor the licensee declines the purchase of alcohol
- Refusal sale of alcohol to younger persons who fails to produce proper ID
- Checking proper proof of age ID at point of sale (learners permit or licence with a hole punched through it is not acceptable)
- Remove documentation from younger patrons who present false ID and promptly forward to Victoria Police (with the exception of Victorian Driver Licence).

Sale by means of mail, Facsimile, telephone or the internet

- Licensees who sell liquor by taking orders over the telephone, by facsimile or by email order, display their liquor licence number in any advertisement or information published in writing or electronically in connection with such sales
- Licensees who advertise on, or supply liquor, by means of internet, always display the following notice prominently on the site so that customers will notice its content

WARNING

"Under the *Liquor Reform Act 1998* it is an offence to supply alcohol to a person under the age of 18 years (penalties apply), or for a person under the age of 18 to purchase or receive liquor" (penalties apply)

Miscellaneous for Packaged Liquor Outlets

- Appropriate rostering of all experienced staff over busy holiday periods
- Indentify and report rogue traders amongst the industry (i.e. Supplying underage customers)
- Liquor is only allowed to be purchased by a person aged 18 or over.
- Proof of age is to be sighted where appropriate as part of the delivery arrangements

A self-Audit Check list designed to access the effective of the licensee's commitment to 'Packaged Liquor Outlets' outlines attached. (*Appendix D*)

Contact List/Details

- Whittlesea Police Station 9716 2102
- Mernda Police Station 9216 1200
- Mill Park Police Station 9407 3333
- Epping Police Station 9409 8100
- Liquor Control Victoria 1300 182 457

Self-Audit Checklist designed to access the effectiveness of the licensee's commitment to 'Responsible Service of Alcohol' (Appendix A)

	Y e s	N o	Action Required
Licensees have completed and are trained in the Licensees New Entrant Training Course.			
Licensees and their management have read and understood their liquor licence. Ensure current liquor licence is prominently displayed.			
All liquor service staff have completed an approved RSA course and are trained in "RSA" within 1 month of commencing employment. Complete the RSA Refresher program every three years			
The current red line plan of the premises is available for inspection by Victoria Police or LCV Inspectors.			
Required Liquor Licensing signage is prominently displayed.			
Minors employed in the licensed premises are not involved in the sale of alcohol and their employment is registered and available to Police/authorised officer when requested.			
Patrons' identification is actively monitored at the door to ensure they are not underage			
Promotions and advertising do not encourage the rapid consumption of alcohol.			
Low and non-alcoholic drinks are readily available. Water is available free, in line with legislation.			

Self-Audit Checklist designed to access the effectiveness of the licensee's commitment to 'Safety and Security' (Appendix B)

	Y e s	N o	Action Required
All crowd controllers are trained and hold a			
current Private Security Licence The crowd controllers register is properly maintained			
A house policy has been developed and is displayed for patrons' information			
An Emergency Procedure Management Plan is in place			
Staff are informed and trained in emergency procedures			
Where applicable, video surveillance cameras are installed and placed in the appropriate			
locations. Surveillance footage is retained in accordance with licence requirements			
Where possible, glasses are shatter glass or plastic and preference is given stock liquor in unbreakable containers			
Security and reception staff are aware of the closest taxi and public transport options			
All relevant staff are aware of maximum numbers permitted on the premises. This includes relevant management and security personnel			
Staff will monitor and discourage anti-social behaviour both in and near the licensed premises			
All staff understand the procedures of recording an incident in the Incident Book/Register			

Self-Audit Checklist designed to access the effectiveness of the licensee's commitment to 'Detriment to the Amenity' (Appendix C)

	Y e s	N o	Action Required
Queues are managed to be orderly and do			
not obstruct access to footpaths for other users			
Management and security staff will work			
cooperatively with other venues and authorities to protect the amenity of other			
people			
Staff and management will encourage people			
to leave the premises in a quiet and orderly			
manner			
All staff are aware of the process of			
recording complaints in the Incident			
Book/Register and know how to respond to			
them			

Self-Audit Checklist designed to access the effectiveness of the licensee's commitment to 'Packaged Liquor Outlets' (Appendix D)

	Y e s	N o	Action Required
All appropriate signage is displayed in a prominent space in the packaged liquor outlet			
Sales are not permitted if it is suspected the alcohol is being supplied to a minor			
Where sales are made via telephone, mail order, facsimile or internet, procedures have been put in place to ensure the sale is not to a minor			
Abiding by the Code of Conduct, including House Rules			

City of Whittlesea Liquor Accord

A collective approach to enhance health, happiness, wellbeing and safety in the City of Whittlesea, by reducing the misuse and abuse of alcohol.

CERTIFICATE OF COMMITMENT

To contribute to the safe and quiet enjoyment of residents and visitors to the City of Whittlesea by promoting the responsible service of alcohol and maintaining high standards of behaviour in and around licensed premises.

Objectives

- Encourage a constructive working relationship between police, Liquor Control Victoria, licensed premises, council, patrons and the local community.
- Promote responsible service of alcohol in all licensed venues.
- Increase the safety and perception of safety in and around licensed venues.
- Improve existing late -night transport alternatives for patrons of licensed venues.

Best Practices

- Work to ensure the guiet and orderly departure of patrons from premises.
- Ensure that the principles of Responsible Serving of Alcohol (RSA) are followed by:-
- Employing RSA trained staff and having a House Policy in place.
- Working to eliminate the illegal presence and/or consumption of alcohol by underage persons on licensed premises.
- Careful management of liquor promotions that might lead to the rapid consumption of alcohol eg happy hours, VIP cards.
- Not encouraging or condoning anti-social behaviour and drunkenness on the premises.
- Ensuring a range of low and non-alcohol beverages is available to customers.

Implement the following harm minimisation strategies:

- Accept only the approved forms of photographic identification of age.
- The entrance to all venues is well lit and signed.

Chris Allen

Licensing Inspector Whittlesea PSA Licensee Nominee Date: / /2023

City of Whittlesea

Liquor Accord Member List

Name	Venue			
BEN WARDEN	BRIDGE INN HOTEL			
RHIANNON WILSON	COMMERCIAL HOTEL			
VAL BIGOLIN	DONNYBROOK HOTEL			
KELLY COCK	EPPING HOTEL			
	EPPING PLAZA HOTEL			
NARELLE HART	EPPING RSL			
OLIVIA VELLA	FIVE VINEYARD			
	MARTINI & CO			
ANGELO MATHAS	Q ROOM			
RUSSEL SMITH	ROYAL MAIL HOTEL			
PAUL SAMINADEN	THE BUNDOORA HOTEL			
ANDREW JINX	THE EXCELSIOR HOTEL			
CRAIG BISHOP	THE PLOUGH HOTEL			
SHANE BONELLO	THE SPORTING GLOBE			
NICK MCINTYRE	WHITTLESEA BOWLS CLUB			