

Ballarat Liquor Accord

2023–2028



VICTORIA POLICE

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1. AIM

'To improve public safety, amenity and perceptions of safety by reducing alcohol related crime and harm in the City of Ballarat Local Government Area'

2. BACKGROUND

The initial Ballarat Licensees Code of Practice was introduced in July, 2001 in response to community and police concerns regarding alcohol-related crime, property damage, violence and loss of amenity in the Central Business District of Ballarat.



The purpose of the Code of Practice for licensed venues was to draw together representatives of key licensed venues to recognise and address issues of excessive alcohol consumption and unacceptable practices that contribute to community and social problems.

Licensees gave a written commitment to uphold the code including the support of measures to reduce levels of alcohol-related crime, disorder and nuisance within the Ballarat CBD.

3. INTRODUCTION

The Ballarat Liquor Accord provides partnership opportunities for developing collaborative and proactive approaches to minimising the harms associated with alcohol, improving safety and amenity and reducing alcohol related violence and anti-social behaviour.

The Ballarat Liquor Accord involves a variety of partners including Victoria Police, City of Ballarat, liquor licensees, Liquor Control Victoria (LCV) and community stakeholders.

The Ballarat Liquor Accord is committed to strategies, which promote positive and effective outcomes through:

- minimising the harms associated with alcohol consumption
- improving safety and amenity
- reducing alcohol related violence and anti-social behaviour across the central business district.

4. PRIORITY AREAS, OBJECTIVES AND STRATEGIES

Priority Area:	Addressing contributors to alcohol related crime and harm
Objective:	To reduce factors that contribute to alcohol related crime and violence in and around licensed venues

Strategies:	<ul style="list-style-type: none"> - Adhere to Responsible Service of Alcohol (RSA). - Eliminate practices that lead to alcohol related harm. - Eliminate illegal underage patronage at all licensed premises. - Eliminate false identification used by underage persons. - Eliminate promotions and practices that encourage the irresponsible service and consumption of alcohol. - Adhere to the Accord agreed venue 'Lock-out' of 2.00am.
Priority Area:	Creating a safe environment in and around licensed premises.
Objective:	To improve safety and perceptions of safety in and around licensed venues
Strategies:	<ul style="list-style-type: none"> - Maintain a high standard of public amenity within the central business district. - Working collaboratively with the responsible body to protect the physical amenity of the city. - Adhere to best practice in the management of licensed premises. - Identify and report issues of public safety to the responsible body. - Promote and support the use of the Ballarat City Safe Taxi Ranks. - Promote and support the Public Place CCTV System (City Safe Safety Cameras). - Actively contribute to the development of projects and programs that improve safety and perceptions of safety around licensed venues.
Priority Area:	Positively contributing to public health, wellbeing and safety.
Objective:	To contribute to the health, wellbeing and safety of residents and visitors to the City of Ballarat
Strategies:	<ul style="list-style-type: none"> - Encouraging positive health and social behaviours by the community, in relation to the consumption of alcohol. - Promote and encourage the use of the "Designated Driver" program. - Support and promote best practice programs which improve the health, wellbeing and safety of residents and visitors to the late-night entertainment precinct.

5. BEST PRACTICE PRINCIPLES

This section outlines industry accepted best practice principles for licensees. It is expected licensees committed to the Ballarat Liquor Accord adhere to these principles in order to operate a business within a best practice framework.

The best practice principles are founded on a harm minimisation approach that aims to minimise and reduce harm to individuals, families and the broader community as a result of alcohol and other drugs.

In applying these principles, it is recognised some aspects outlined may only apply to a certain types of liquor licence. For example *'Ensure the maximum capacity numbers of patrons are adhered to at all times'* would not apply to packaged liquor outlets. However, most of the recommendations contained in this section have been modified to apply to all licence types.

5.1 Responsible Service of Alcohol

- Refuse service of alcohol to any customer showing signs of [intoxication](#).
- Refuse entry to all intoxicated customers.
- Encourage customers to drink responsibly and let them know they will be asked to leave if they become intoxicated, disorderly, violent or quarrelsome.
- Notify crowd controllers of customers who are showing signs of intoxication so crowd controllers can monitor and manage the situation.
- Watch the [Zero in on intoxication video](#).
- Ensure staff are adequately trained to identify intoxicated customers.

Liquor Control Victoria

Remember the 4 RSA principles

- Refuse alcohol services to intoxicated persons.
- Drunk and disorderly are not allowed on premises.
- Do not supply liquor to minors (under 18 years of age).
- Discourage activities that may cause harm.

If you need to refuse service

Tell early	Clarify refusal
Avoid put-downs	Alternatives offered
Keep calm	Report
Ever courteous	Echo the message to regulars

Penalties apply.
Know your responsibility.

VICTORIA
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5.1.2. Minors

Minors on licensed premises

Anyone under the age of 18 years is considered a minor. The legal drinking age in Victoria is 18 years. It's illegal for any person to supply alcohol to a minor on licensed premises. It's also illegal for a minor to be on licensed premises to purchase, receive or consume alcohol.

Minors are not permitted to drink alcohol on licensed premises under any circumstances.

Depending on the situation, a minor may be allowed on licensed premises.

A minor may be on licensed premises if they are in the company of a *responsible adult*. A *responsible adult* is defined as a person who is 18 years or older and is:

- the minor's parent, step-parent, guardian, grandparent, or
- the minor's spouse who is over the age of 18 years, or
- a person who is acting in place of a parent and who could reasonably be expected to exercise responsible supervision of the minor – for example, a sporting coach.

An unaccompanied minor cannot be on licensed premises unless:

- there is a condition allowing them to be on the licence (e.g. a junior sports club)
- it holds a restaurant and cafe licence (until 11pm)
- it holds an on-premises licence with restaurant conditions (until 11pm).

Other circumstances that permit unaccompanied minors on licensed premises are if the minor is:

- having a meal
- is a resident of the premises if accommodation is supplied
- employed by the licensee but not involved in the supply of alcohol
- completing an LCV approved training program in hospitality, and the course provider has the approval of the Victorian Liquor Commission for that to occur. This approval is normally given in writing and under the condition minors are closely supervised whilst serving.

For more information relating to employing minors and minors on licences premises, visit [Under 18 patrons on licensed premises.](#)

5.1.3. Checking Identification

One of the key aims of this accord is to actively discourage underage customers illegally being on your licensed premises. To achieve this:

- insist on the production of [evidence of age documents](#), as specified by the *Liquor Control Reform Act 1998* (the Act), for entry to all licensed venues/point of sale where appropriate
- prominently display LCV signage about restrictions on minors
- when checking ID, ensure staff member physically holds the ID to check it is current and an approved form of identification.

If an approved form of ID is not supplied, refuse entry unless the customer is obviously over the age of 18 years. Entry will be at the discretion of the licensee or delegate.

If you suspect the ID is not authentic, ask for a second form of ID. If you determine one or both of the presented IDs are fake, that ID (except for a driver licence) should be confiscated and handed into police.

Acceptable evidence of age documents under the Act are:

- Australian driver licence (including NSW & SA digital drivers licence)
- Victorian learner permit
- Foreign driver licence in the English language or if not in the English language, must be accompanied by an official English translation (e.g. by any [NAATI](#) accredited translator) or an International Driving Permit
- [Victorian proof of age card](#) or an equivalent from another state or territory of Australia
- Keypass card (including [digital keypass](#))
- Australian or foreign passport
- Victorian marine licence

5.1.4 Discourage activities that encourage drinking alcohol excessively

Actively discourage irresponsible alcohol consumption practices such as:

- free or heavily discounted drinks on entry or during the night
- lay backs, two for one drinks, short term price reductions and the indiscriminate distribution of drink cards (**distribution of free drink cards must be in a direct sponsorship or formally structured promotional plan**)
- all-inclusive events which have the potential for alcohol-related harm
- serving of 'shooters' after 12:01am
- pricing practices or promotions encouraging rapid consumption of alcohol e.g. drinking games, skolling competitions, dares or challenges and no pouring straight alcohol into customers mouths
- advertising of events that encourage excessive consumption of alcohol e.g. binge drinking, sporting clubs end of season celebrations (Mad Monday), end of school celebrations (school leavers week), university O-week.

Happy hours will be kept to a maximum of two hours per day, per venue and will be completed by 11:00pm on any operating night. Drinks will be served at standard measures.

All members of the Ballarat Liquor Accord are to become familiar with and abide by [LCV's 'Responsible Alcohol Advertising and Promotions' guidelines](#).

Standard drinks

Below is a guide for **one** standard drink based on the alcohol content. These are calculated based on the formula supplied by the [Australian Department of Health and Aged Care](#).

							
260ml	360ml	470ml	255ml	30ml	60ml	110ml	100ml
Full Strength Beer 4.9% Alc./Vol	Mid Strength Beer 3.5% Alc./Vol	Light Beer 2.7% Alc./Vol	Pre-Mix Spirits 5% Alc./Vol	Spirit Nip 40% Alc./Vol	Port/Sherry Glass 20% Alc./Vol	Sparkling Wine/ Champagne 11.5% Alc./Vol	Wine 12.5% Alc./Vol

5.1.5 Promote non-alcoholic or low alcoholic beverages and snacks

- At all times, offer and promote the availability of low and non-alcoholic drinks.
- Ensure bottled water is available for purchase and [free tap water](#) is available to all customers (this is a legal requirement under section 99A of the Act).
- Ensure refreshments/food is readily available on request at any time (this is a legal requirement under section 99 of the Act).

5.1.6 Ensure all staff are adequately trained

RSA training

- [Responsible Service of Alcohol \(RSA\)](#) is compulsory for anyone selling, offering or serving alcohol under the following types of liquor licences: general, on-premises, late night, packaged liquor.
- RSA training may also be compulsory in other situations where there is a special condition on the liquor licence.
- A person under the age of 18 can complete an RSA course but must wait until they are 18 to serve alcohol.
- RSA training is completed through an LCV [approved registered training provider](#). Certificates must be updated every three years by completing the [free online RSA refresher course](#).
- Staff must complete their RSA training within one month from the date they first supply liquor.

If you are required to have RSA trained staff:

- you must keep a copy of their RSA certificates on the licensed premises
- certificates cannot be more than 3 years old
- photocopies or electronic copies are acceptable and must be readily available to LCV inspectors or Victoria Police.

When asked you need to provide:

- the name of the responsible person at the licensed premises
- the name of each person who is engaged in the sale and service of liquor
- the date on which each person first sold or served liquor on the premises.



Other training

- Provide regular updates 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 staff have access to relevant literature on the Accord, liquor laws/regulations and surrounding business owners and residents.
- Ensure staff co-operate with Victoria Police, City of Ballarat and fellow operators to ensure this code of practice can be effectively implemented across the City of Ballarat.

NOTE:

Local laws prohibit the consumption and possession of unsealed liquor in specified public areas within the City of Ballarat. The declared areas include the entire Local Government Area of Ballarat. Therefore, customers leaving licensed premises within this area while consuming or having unsealed liquor in their possession are committing an offence.

6. CROWD CONTROLLERS

Under the *Private Agents Act 2004*, Victoria Police screen, control and monitor the behaviour and bona fide's of all registered crowd controllers. This requires people employed as crowd controllers to be licensed and to abide by the operational requirements of the *Private Agents Act 2004* (licensees should be actively enforcing this).

The Private Agent's Act 2004 contains legislation about maintaining the crowd controllers register and identification required to be worn by crowd controllers.

The Ballarat Liquor Accord requires all licensees who employ crowd controllers to be aware of their obligations under the *Private Agents Act 2004*, and to ensure crowd controllers are properly licensed and work in a professional manner.

[Crowd Controllers](#) must adopt effective conflict resolution and communication skills with the aim of reducing violence on or around licensed premises.

7. IMPROVE SAFETY AND SECURITY

Actively monitor the behaviour of customers to detect early signs of intoxication or inappropriate behaviour:

- Clearly display a house policy that details acceptable and unacceptable behaviour on premises, including excessive consumption of alcohol and illicit drug use.
- Display signage educating customers about harms associated with alcohol and drug use, including [drink spiking](#), drink/drug driving and tobacco smoking.
- Discourage glass in toilets or on the dance floor, to reduce both intentional and accidental injuries.
- Ensure internal and external security procedures are well maintained and functioning effectively.
- Encourage phased and orderly exit of customers from licensed premises when closing.

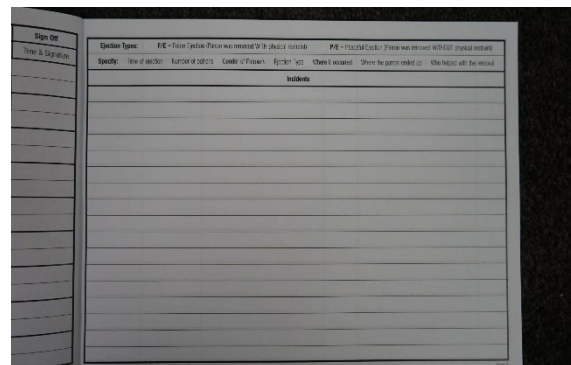
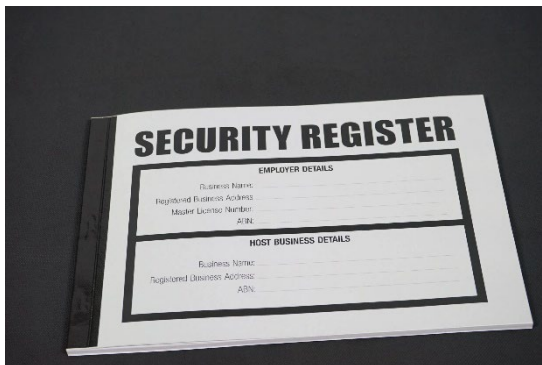
7.1 Maintain safety and security throughout the premises

- An Emergency Procedures Management Plan is maintained and available to Victoria Police.
- All staff are trained in emergency procedures and the use of emergency equipment.
- Conduct regular WorkSafe crowd control safety and security risk assessment of premises and immediate surrounds.
- Ensure entrances and exits are well lit and surrounding areas are safe and allow good visibility.
- Implement good surveillance systems, such as closed circuit television systems (CCTV).
- Ensure staff, including security, are clearly identifiable e.g. distinctive t-shirts, uniforms, name tags etc.
- Serve alcohol in containers selected to minimise harm to customers and where possible, use glasses made of shatter proof glass.
- Where possible stock alcohol in unbreakable containers, such as cans or plastic bottles, instead of glass.
- Cooperate with police and other Accord members on ways to improve public safety.
- Prevent criminal activity and disorderly conduct from occurring on premises and notify police immediately if something illegal or suspicious occurs.
- 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 Ballarat Liquor Accord.

- Door/security or reception personnel will:
 - wear clear ID at all times
 - not harass or intimidate passers-by or potential customers
 - record incidents of false ID in the incident book.
- Monitor and discourage anti-social behaviour when customers leave the venue, both near and surrounding the area, and call police if necessary.
- Don't let people back into venue who have caused a disturbance – immediately contact police and neighbouring venues to inform them of ejected and/or problem customers in the vicinity.
- Assist customers in accessing safe transportation out of the area and have public transport information available including taxis, trains, buses and car parking for customers.
- Uphold any statutory requirements relating to security personnel and enter details of any incidents in the incident book.

7.2 Maintain records of incidents and have regular communication with police

- Maintain a register of all types of incidents that occur in and around the premises that includes the time, date and nature of the incident and the response taken by staff and management.
- Ensure all staff are familiar with the incident register book and are aware of how to use it when required.
- Notify the police of any special events likely to significantly increase the number of people in the area, in advance of the event.
- Ensure close liaison and open communication with all Ballarat Liquor Accord Stakeholders.



7.3 Customer and premises safety

- Maintain a current list of emergency phone numbers and other venues – distribute to staff and locate close to all key phones.
- Ensure maximum capacity numbers on licence are adhered to at all times.
- Encourage a policy of no pass-outs after midnight.
- Train all staff in emergency procedures and how to use the incident register book.
- Encourage all staff to undertake first aid courses and ensure one first aid trained staff member is rostered on for each shift.

8. COMMITMENT TO 'BEING GOOD NEIGHBOURS'

Improve the local amenity

- Assist customers in accessing safe transportation out of the area e.g. door staff can provide information about the supervised taxi rank or train station, and encourage customers to use these quickly and quietly when departing.
- Minimise noise generated from the premises and wherever possible, keep doors closed.
- Educate customers, 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 customers taking alcohol from licensed premises (other than where permitted).
- Ensure door and security staff are briefed on local environment 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 all legitimate complaints in the incident book, respond to resident concerns and take all reasonable steps to ensure you are being a 'good neighbour'.
- Communicate with neighbouring venues to discuss common issues surrounding the area.

Customer responsibility

- Display [signage](#) that clearly explains licensee and customer responsibility regarding the responsible service of alcohol.
- Ensure staff are trained to advise customers when they will no longer be served and asked to leave.

9. ACCORD BANNING GUIDELINES

The *Liquor Control Reform Act 1998 (the Act)* provides that two or more licensees or permittees may enter into a liquor accord with the approval of the Chief Commissioner of Victoria Police and LCV. They may enter into such an agreement for the purpose of minimising harm arising from the misuse or abuse of alcohol at their licensed premises.

The terms of a liquor accord may make provision for licensees or permittees to stop supplying liquor or allowing the consumption of liquor at their licensed premises. The terms may also make provisions for banning a person or the public access to licensed premises.

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 a decision to ban is fair and reasonable, including providing the banned person with an opportunity to respond to or request review of the decision to ban them
- ensure a ban is made for a clear harm minimisation purpose
- ensure the privacy of personal information in relation to banned persons is maintained
- ensure a ban is non-discriminatory and complies with the provisions of the [Charter of Human Rights and 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 patron 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 with Victoria Police in developing or enforcing a liquor accord.

Release of information for the purpose of enforcing an accord ban

Section 146D of the Act allows for LCV or Victoria Police to disclose specific information about a banned person to a licensee or permittee who are party to a liquor accord which contains a liquor accord ban. It is an offence under section 146DA of the Act for a person to use or disclose any information received from LCV or Victoria Police regarding banned persons except for the purposes of enforcing a liquor accord ban or otherwise as required by law.

Information will only be disclosed by LCV where necessary for the purposes of the effective and efficient enforcement of the liquor accord ban. When determining whether to disclose information, LCV or Victoria Police may require a licensee or permittee who are a party to an accord to provide further details.

10. OUTLAW MOTORCYCLE CLUBS

Outlaw motorcycle clubs (OMCs) are a particular set of motorcycle groups. OMCs have their own constitutions, organisational structures and rigid sets of rules. Members of OMCs are known as 'bikies' and wear their club's 'patches' (or insignia or colours) on their riding gear. All OMCs have their own 'territory' in which their members display their patches.

A licensee has a right to refuse entry to a person, or ask a person to leave the licensed premises, as long as it does not breach any anti-discrimination laws.

The Ballarat Liquor Accord prohibits within its venues any item of clothing or accessory that displays:

- the name of an identified OMC
- the club patch, insignia or logo of an OMC (e.g. 'colours')
- any image, symbol, abbreviation, acronym or other form of writing that indicates membership of, or an association with, an OMC.

Any customer attempting to enter a Ballarat Liquor Accord venue displaying any of the items as outlined above, **shall be refused entry**.

Optional signage shall be made available to Ballarat Accord members to display at entrance points to their venue(s). Choosing to display the signage is at the discretion of each member's licenced premises and is not mandatory.

11. VICTORIA POLICE

In addition to licensees adopting and implementing the principles and practices of the Ballarat Liquor Accord, Victoria Police will use reasonable endeavours to:

- maintain a visible police presence in and around licensed venues
- work with all stakeholders to implement the accord and improve community safety
- work collaboratively with Ballarat Liquor Accord members to develop solutions for identified problems/issues.

12. MEMBERSHIP

- Membership will include representation from the Council and Victoria Police.
- Membership will be available to agencies with interest and expertise in liquor licensing and the reduction of harm within the accord area and at licensed venues.
- Membership is voluntary and open to all liquor licensees within the accord area.
- Membership requires attendance and participation at quarterly meetings, communication with other stakeholders and commitment to implementing any agreed changes within your own agency/premises.
- By agreement of Accord members at any Accord meeting, membership may be extended to any agency with an interest, expertise, or commitment to the reduction of harm.
- All meetings will invite a representative from Liquor Control Victoria.
- Licensees who agree to and sign the statement of commitment certificate will become members.
- A member may resign by written notice to the liquor forum chairperson/administrator or Victoria Police.
- A member is taken to have resigned if:
 - the liquor forum chairperson/administrator or Victoria Police has made a written request to the member to confirm that they wish to remain a member and
 - the member has not, within 14 days after receiving that request, confirmed in writing that they wish to remain a member.
- If the liquor forum chairperson/administrator or Victoria Police is satisfied that a licensee member (**relevant member**) has failed to comply with the Accord or refuses to support the purposes of the Accord, disciplinary action may be taken against the relevant member as follows:
 - A letter will be sent to the relevant member stating:
 - it is proposed to take disciplinary action against the relevant member
 - the grounds for the proposed disciplinary action and
 - the relevant member will be allowed to make submissions in writing or at the next Accord meeting.
 - The relevant member must confirm in writing within 14 days of receiving the letter if they wish to make any submissions in writing or at the meeting.
 - At the next Accord meeting, if the relevant member is in attendance, they will be given time to speak. If a written submission has been sent, then that will be read. The members present at the meeting (other than the relevant member) may decide to:
 - take no further action against the relevant member
 - reprimand the relevant member, or
 - cancel the relevant member’s membership of the Accord.
 - The discussion and any outcome will be recorded in the meeting minutes.
- If a licensee’s membership of the Accord is cancelled, they may apply to become a member again after 12 months. The application may only be accepted by agreement of Accord members at an Accord meeting.

13. ACKNOWLEDGEMENT OF COMMITMENT

Licensees will be invited to sign a standardised Certificate of Commitment to adhere to the objectives of the accord.

The Local Police Service Area Licensing Inspector will also endorse the certificate.

The licensee should ensure the Certificate of Commitment is displayed in a conspicuous place on the licensed premises in a manner that invites public attention.

Proposed members of the Ballarat Liquor Accord are:

Freight Bar	Volta Arts and Bar
Golden Age Hotel	Warehouse
Irish Murphy's	Hop Temple/Aunty Jacks
Piano Bar Ballarat	
Sporting Globe - Ballarat	
The George Hotel	
The Western Hotel	

Name of premises:

Signed Licensee:

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Date:

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