



**Trojanmede Pty Ltd t/as Beachfront Hotel**

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C/- Department of Health  
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Emailed to: [Alcohol.Review@nt.gov.au](mailto:Alcohol.Review@nt.gov.au)

29 June 2017

**Re: NT ALCOHOL POLICIES AND LEGISLATION REVIEW 2017**

Dear Members of the Review Panel,

My name is Guy Dunne and I am the nominee and shareholder for Trojanmede Pty Ltd which holds the 'Tavern' licence for the 'Beachfront Hotel', located 342 Casuarina Drive, Rapid Creek.

I have been the nominee at the Beachfront Hotel for eight years, prior to that I have worked in hospitality for over 20 years throughout Australia.

The Beachfront is a family friendly venue that offers a range of entertainment options and focuses heavily on food and music. We consider ourselves the 'local' for people living in the Nightcliff and Rapid Creek area, but given our location, also see a lot of visitors to the Territory stopping by for a drink and a meal. We also have a bottleshop attached to our Hotel.

The Beachfront Hotel is an iconic pub with a long history in the Territory, we are proud of the Hotel as it is today, but also have some exciting plans to continue our refurbishment of the pub. To date we have invested well over \$1.5 Million dollars in renovations to our gaming rooms & upgrades to our toilet facilities. We have exciting plans to further improve our facilities over the coming months with a further \$2 million in upcoming works due to begin shortly.

In order to continue this private invest back into the pub and improve our facilities, products and services we offer the community, we like any business, need certainty in Government policy and regulations moving forward.

Accordingly, I do not support the introduction of yet another tax or fee structure on our business, being annual liquor licence fees. Our pub is already highly taxed and regulated and I see no reason to continue to penalise us even more. The NT Government's most recent tax-grab, which sees us

paying over 60% taxes, fees and levies on gaming is going to impact on our ability to continue to redevelop this venue, it is going to impact on ability to maintain staff, pay loans etc.

I support the status quo in trading hours, I do see a reason to change the current regime.

I support the current licence categories and conditions being put into legislation in order to make it clearer and more transparent for everyone the details of all liquor licences.

I support the NT Government's moratorium on takeaway outlets and believe the current takeaway guidelines need to be strengthened, with better definitions of "residential" greenfield sites. Given the last couple of years in the Territory has seen a population decrease, I think the community has an oversupply of alcohol outlets, especially after all the recent takeaway alcohol outlets which were approved by the Director-General of Licensing.

I know the community wants variety in the products they drink and both our bar and bottle shop continues to look at creating or purchasing new products that we think our customers enjoy.

Give the Government's moratorium on takeaway outlets, I also support the legislation to restrict the size of takeaway alcohol floor space and would support more restrictions being included in the liquor act that would prohibit small alcohol outlets being transformed into large liquor barns through the licence substitution process.

Given the Beachfront's location to nearby parks and coastal reserve, we have experienced and seen evidence of public drunkenness, people with severe problems with alcohol, secondary supply, breaches of the 2km law and much more in these spaces.

The Beachfront Hotel voluntarily developed an 'Environmental Management Plan' (EMP) in 2008 which details staffs roles and responsibilities in order to reduce anti-social behaviour and to work with authorities and other community groups to ensure the Nightcliff Foreshore is a safe and enjoyable space for locals. This EMP was made a condition of our liquor licence in 2012 and is probably one of the strictest and onerous plans held by an NT liquor licence.

While I won't detail all of the items in our EMP, some of them relevant to limiting public drunkenness are; no service of people through the bottleshop on foot (i.e. not in a car in our drive-thru), only serve 2 casks per person per day, monitoring taxis who use our drive-thru and reporting suspicious activity of secondary supply that we see in the park across the road to NT Police. I would like to see more support and protections from the Government and Regulator for what could be viewed as racially discriminatory practices, such as those listed above or what I have seen licensees adopt in liquor accords around town. I don't believe there are enough protection for me and my staff if someone were to file an anti-discrimination claim on us.

The Darwin City Council relaxing of the 2km rule on Nightcliff Foreshore also adds to the confusion from members of the public on where they can legally consume alcohol. Because of a food truck being given permission to operate 400m away from our venue, the Council allows people to consume alcohol in public there, however the Police will seize and tip alcohol out from the same park/costal reserve across the road from us. This inconstant nature of this rule change is hard for our staff and customers to understand.

I don't support excessive discounting of alcohol products and would like to see a minimum price of \$1.20-1.30 applied to all alcohol sold in takeaway outlets in the NT. Our bottleshop does not stock any excessively cheap alcohol products that problem drinkers seem to gravitate towards and would already comply with this minimum price for the majority of products.

I support the Government's Banned Drinker Register (BDR) and hope that the mobile solution they are creating for drive-thru bottleshop alleviate some of the regular complaints my staff got the last time the BDR was implemented by Government. Also quite rightly our customers have concerns about their private information being used for the BDR – I think there needs to be more communication from the Government on how information is used and stored for the BDR, as well as training for staff on the system, so that they are able to explain to customers where their information goes.

As venues such as the Beachfront continue to be regulated more and more, with initiatives such as the BDR, I believe the issue of secondary supply needs to be closely looked at by authorities, including the NT Police. I support any new powers for Police that would allow them to capture people illegally selling alcohol.

Another matter that I think needs closer regulation and inspection by authorities are online sales and cross-border trade. Again, when local venues are regulated with initiatives such as the BDR, the online alcohol market suddenly looks very attractive...and they will even deliver it to your door!

First step is to strengthen the current Government process of capturing alcohol data, which at the moment only sees registered NT Alcohol Wholesalers contributing their sales data. This process excludes all NT alcohol retailers that purchase their alcohol from non- NT registered wholesaling businesses, e.g. directly from interstate alcohol retailers or overseas retailers.

I would think that to better inform Government policies (and this Review) that the most accurate alcohol data should be pursued by the authorities. In terms of solution, I would be willing to provide an annual declaration to the Government on my alcohol purchases if I used non-NT registered wholesalers.

The Beachfront regularly receives compliance inspections from Licensing Inspectors and I work with my managers and staff to ensure we comply with all our licence conditions at all times. I support Licensing NT having a strong compliance regime, but would like to see a more consistent approach be taken for all liquor licences, in particular the 'ancillary to groceries' licence condition that all stores have. I believe that words like "ancillary" and "trading predominantly" should be better defined for store licences, with a % of turnover declared in order to improve compliance in this area.

In 2011 the Beachfront Hotel was unfortunately involved in one of the longest running noise complaints in NT licensing history. I won't go into all the details, but ultimately a simple noise complaint, which we had dealt with successfully for many years through direct mediation by venue management and nearby residents, resulted in a 5 day hearing with the old Licensing Commission – the costs were enormous to our business and no doubt to the Government.

While the old Licensing Commission process was costly and slow moving and weighed down in bureaucracy, it did provide thoughtful, considered and transparent decisions – which I think is lacking from the current Director-General Decision Making regime.

I support a hybrid model of these two decision making regimes – one where a committee or panel could be established for major licence applications and determinations, in order to ensure proper scrutiny, but for all other matters, e.g. noise complaints, the process is streamlined to just to a sole decision maker.

As detailed previously, the Beachfront Hotel has one of the strictest liquor licences in the NT, due to our EMP becoming a condition of our licence several years ago. While this places extra pressure on me and my staff, it also ensures we have very high standards in terms of RSA, patron behaviour and overall management of the pub.

One of the practices contained in our EMP/Licence is a Patron Code of Conduct, which I think is suitable to be applied industry-wide. I see Codes of Practice for both on and off premises, as well as patrons as being a positive step for industry and useful tool for the regulators.

Thank you for your consideration of my submission.

Kind Regards,

A handwritten signature in black ink, consisting of a large, stylized loop followed by a long, horizontal stroke that tapers to the right.

Guy Dunne.

Director