



*Where Good Sports Meet!*

Wednesday, 28 April 2010

Mr Y. Liu  
Project Officer  
Adjudication Branch  
Australian Competition and Consumer Commission

Dear Mr Liu

I refer to your email dated 20 April 2010 to Ms Deborah Bryan in which you provide (by attachment) submissions from interested parties in regards to the Casuarina Liquor Accord Draft Determination and invite a response to the issues raised in these submissions.

You have also requested clarification regarding the identification of ready to drink products greater than 500ml as a product to be withdrawn from sale; and the evidence used in reaching this decision.

The Casuarina Business Precinct Stakeholders Committee wish to respond to issues raised in regards to identification of ready to drink products.

The inclusion of ready to drink products greater than 500ml (one item, can or bottle) in the proposed liquor accord is on the basis of experience of the Casuarina Club following the voluntary implementation of product type restrictions in 2008. Observations reported by staff responsible for takeaway alcohol service was that the sale of these products increased significantly in association with restricting cask wine sales. It was also observed that problems associated with the increased sale of these types of products included broken glass on roads and in public areas and even a broken window to a business.

Stakeholders acknowledge that there are only 3 to 4 products that may be affected by the inclusion of this measure within the proposed accord however given the experience of the Casuarina Club, considered that they should nevertheless be included. Stakeholders make no specific claims about alcohol related harms resulting directly from other ready to drink products or these types of products generally.

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In developing the proposed liquor accord Stakeholders have considered many issues including:

- ensuring that the Accord goes 'far enough' (ie. deals with the known problem products based on experience);
- 'protecting' the morning from trade so that services are able to engage with people before they become intoxicated;
- complete bans of products versus targeted restrictions;
- the range of products that should be restricted;
- possible product substitution.

In relation to full strength beer, some Stakeholders are aware of examples of restricting the sale of beer by quantity and there some concerns about litter caused by beer bottles which is evident in some areas of the precinct. Stakeholders therefore considered whether the sale of full strength beer should also be restricted. On the whole stakeholders consider that the product types identified in the proposed accord are those that currently most contribute to drunkenness and alcohol fuelled antisocial behaviour within the precinct.

It should be noted that several submissions received in response to our application for authorisation have referenced the importance of a strategy to assess the effectiveness of the liquor accord. As part of developing this strategy Stakeholders will be requested to review their information collection processes to identify what information could be made available to monitor progress towards achieving the stated objectives. It is anticipated that information regarding product substitution will necessarily form part of the assessment of effectiveness.

I trust that this information addresses your queries and those raised in the submission process regarding the product types included within the proposed accord. Please contact Ms Bryan of the Northern Territory Department of the Chief Minister again on (08) 89 99 5028 or 0410 119 234 should you require anything further.

Yours sincerely



ANDREW HAY  
General Manager

28 April 2012