

PART A – SUBMISSION PROVIDED BY THE OFFICE OF LIQUOR AND GAMING REGULATION ON 11
NOVEMBER 2013

Information request

Townsville Accord experience

Given there has now been conduct undertaken pursuant to the 2010 authorisation, the ACCC will review the effects of that conduct to confirm whether the benefits and detriments anticipated at the time of the 2010 authorisation have been realised. Therefore, to the fullest extent possible, your answers to the questions below should avoid giving anecdotal evidence and focus on providing quantifiable responses.

1. Please describe the area targeted by the CBD Townsville Accord. For instance, discuss how close together the venues are, provide their addresses and provide addresses of liquor venues located outside the boundaries of the accord, but close by. Alternatively you may wish to provide a scaled map marking the individual venues.

See attachments:

- 1. map of venues within and near the CBD Townsville Accord*
- 2. list of licensed venues showing addresses*

2. In relation to the minimum prices implemented by signatories to the Townsville Accord:
 - a Why did Townsville Accord (with support of OLGR) decide that implementing minimum prices for spirits was the most suitable pricing mechanism to minimise alcohol-related harm?
 - What alternative pricing mechanisms were considered and why were those measures dismissed?
 - Were the measures contained in the PLAA considered insufficient or not specific enough? If so, why?
 - Why were minimum prices applied to spirits specifically?
 - b What was the rationale for implementing minimum prices at all times of the week, rather than only at specific times of the week? Was the problematic behaviour occurring during all trading hours, or was it primarily occurring on Tuesday evenings and evenings before public holidays?
 - c The ACCC understands that the Townsville Accord (and PLAA) aims to ensure that consumers face incentives to consider opting for non-alcoholic or lower-alcoholic drinks. Why was it decided to apply only a 50 cent price difference between full and half nip spirits on Tuesdays and on days before public holidays?
 - d The ACCC understands that only a limited number of venues subject to the Townsville Accord were pricing below the minimum prices set under the Townsville Accord prior to its introduction. Of those venues:
 - Please provide current contact details (venue name, contact name, position, email address and contact number).

- What was their normal pricing of spirits (i.e. the pricing outside of promotional or discounting periods) prior to the adoption of the Townsville Accord? What was their discounted pricing on Tuesdays, on the day before public holidays and at all other times?
 - What effects did they report as a result of increased spirit prices? What was the effect on the profitability of those venues? Consider factors such as whether customers switched to consuming other alcoholic drinks at the same venue, whether they consumed less overall, whether they now consume more low-alcohol content drinks, whether that venue initiated greater discounts on other types of drinks, whether the venue lost customers (provide the change in volume of customers where possible) and whether more customers may have been 'preloading'.
 - What proportion of overall drink sales do spirit sales represent at those venues? Did this change after the Townsville Accord was implemented?
- e The ACCC understands that some premises discounted some drinks to as low as 80 cents during particular promotional periods. Which premises were offering discounts at or around this level? Were discounts of this type being offered on a sustained basis or were they more limited (such as one-off promotions for particular times)?
- f Are you aware of any instances of venues discounting other types of alcoholic beverages instead of spirits after the introduction of the Townsville Accord? If so, provide details.
- g What effect was experienced by drinking venues participating in the Townsville Accord when The Bank withdrew from the accord?
- h How low, for long and how frequently are discounting promotions occurring at The Bank and Bullwinkle's Cabaret or any other non-participating venue?
3. What was the rationale for the provision in the Townsville Accord:
- a banning the supply of shots after 2am? Provide commentary on the effectiveness of this measure.
 - b banning touting or hawking close to other licensed venues?
4. To the best of your knowledge, describe any changes to the pricing structure in venues of beverages other than spirits as a result of the Townsville agreement. In your answer, please include details of:
- a whether any venues reduced the prices of non-alcoholic drinks and/or half nip drinks to comply with the provisions of the agreement; and
 - b whether any venues increased the price of full-strength beer or reduced the price of low alcohol beer to comply with the agreement.
5. Provide information of any additional price or supply arrangements (including oral agreements) in place to implement the measures contained in the Townsville

Accord. For example, any measures relating to half price drinks, maximum duration of discounts or not running promotions that may encourage patrons to consume liquor irresponsibly.

Conditions

6. Please provide the written report(s) that was prepared as required every twelve months by condition 2 of the 2010 authorisation.

As the Townsville accord's 12 month period coincided with the application for revocation and substitution (Form FC) all materials that would have constituted the written report were directed to the evidence presented in the Form FC. The accords written report for OLGR is still to be drafted.

7. Did OLGR make an assessment as required by condition 1(d) that inclusion of price controls by Townsville Accord (particularly the establishment of minimum prices) was not disproportionate to the identified harms? What other price controls did the OLGR consider instead of setting minimum prices? Please provide any details of, or documents that record or relate to the assessments.

OLGR did not set the price control. The price control was decided, introduced and implemented by the membership of the Townsville Accord. As part of the discussion and implementation process OLGR did provide anecdotal comment as to observations during compliance activities within the accord boundaries and premises within. OLGR commented that during the heavily discounted drinks promotions they observed a changed culture among patrons and this appeared to be responsible for an increase of detected and reported intoxication related complaints/issues

8. Please provide any comments regarding any issues that have risen in relation to the conditions and their effectiveness.

Local OLGR can provide anecdotal comment that since the implementation of the price controls, they have observed the anti-social behaviour of patrons at participating venues to have improved significantly to patrons at premises NOT participating

Other information requested

9. In the absence of continued authorisation for the price and supply controls contained in the PLAA, from Townsville Accord's point of view, what would happen in relation to the Townsville Accord? What would be the consequences, from OLGR's point of view?

OLGR believes a cessation of authorisation would limit the strategies available to the Townsville CBD Liquor Accord to meet legislative obligations under the Liquor Act to provide a safe environment and to minimise harm associated with alcohol abuse and misuse. If the accord ceases to use the controls, the public benefit already gained may be lost. OLGR believes that while the accord would continue to operate, a limitation on strategies available to them would handicap their effectiveness.

10. In the absence of an authorisation for setting minimum prices, what arrangements would be incorporated into the Townsville Accord in the alternative?

11. Explain why minimum prices, or price controls more broadly, are required for venues that are already complying with other responsible service of alcohol obligations (for instance, by not serving alcohol to unduly intoxicated patrons).

12. In relation to OLGR's submissions at the time of the 2010 authorisation:

- a If available, can the OLGR refer to, and provide to the ACCC, more recent studies or research articles that:
- support its claims regarding the benefits associated with the proposed conduct; and
 - relate to the effects of spirits as a particularly problematic beverage, relative to other alcoholic beverages (we note that spirits were also targeted in the Whitsunday Accord).

see Q12a Research Attachment.

- b Does the Code of Practice for the Responsible Service, Supply and Promotion of Liquor (referred to by the ACCC at paragraph 2.6 of the 2010 Determination) still play a role in the liquor industry? If so, what is that role?

*This document no longer exists. OLGR provides a comprehensive suite of guidelines and publications designed to assist licensed venues in the creation of safer and compliant environments. One notable publication is **Towards Best Practice for Safety in Licensed Venues** (a comprehensive guide outlining risk management practices and procedures). To assist licensees with ensuring safety in and around licensed venues, OLGR consulted with industry and developed this online resource that outlines what OLGR considers to be best practice in licensed venue safety. These documents are available on the OLGR website.*

Note that the PLAA should be updated to reflect that the *Competition and Consumer Act 2010* has replaced the *Trade Practices Act 1974*.

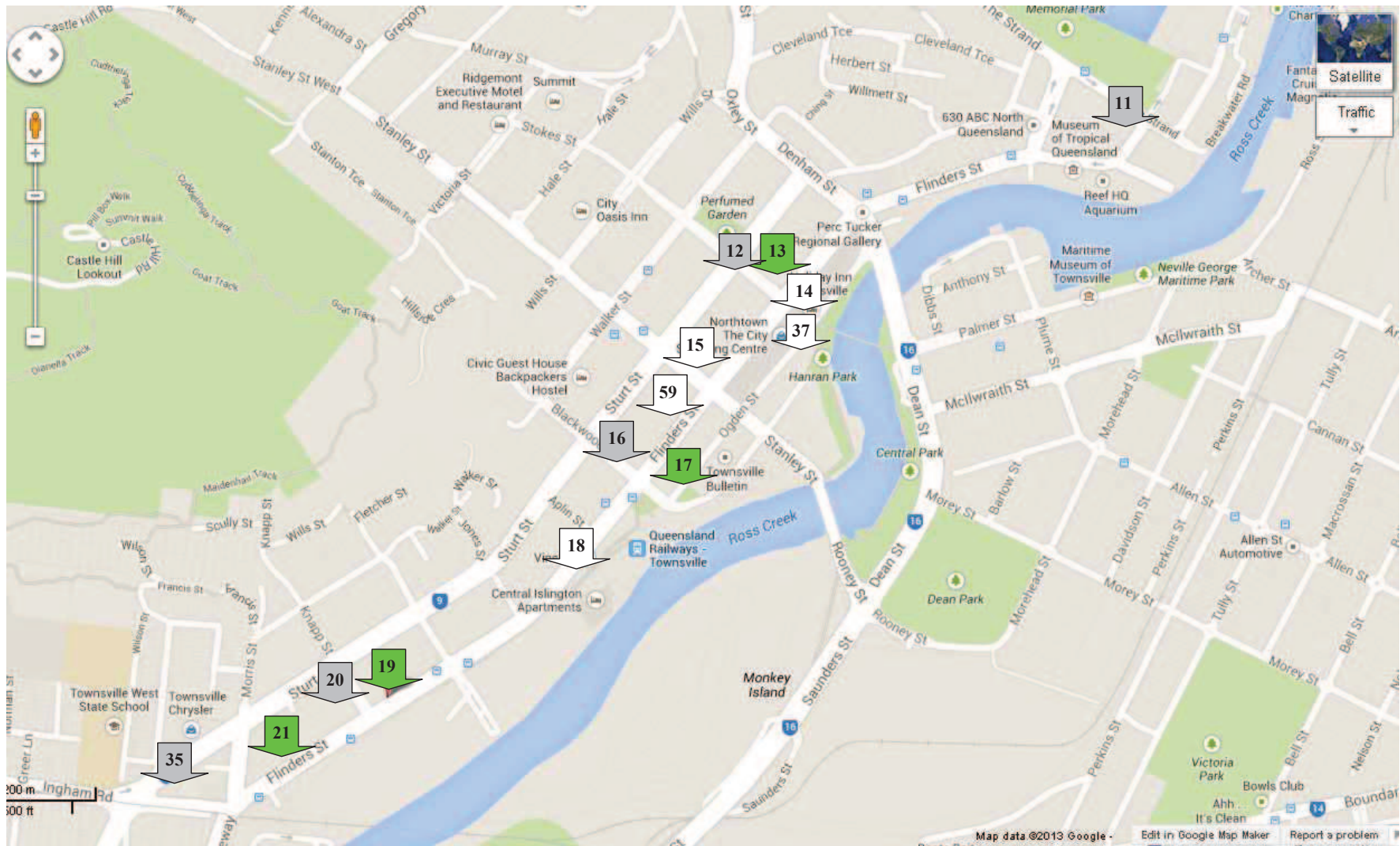
1	MOLLY MALONES IRISH PUB	51	SIMPLY TOPS SEAFOOD BAR
2	FLYNN'S IRISH BAR & BISTRO	52	TABLE 51
3	BULLWINKLE'S CABARET	53	THAI INTERNATIONAL
4	MAD COW TAVERN	54	THE BALCONY
5	EXCHANGE HOTEL	55	THE GLOBE
6	THE CONSORTIUM - GOLD REVOLVER (RECEIVERS AND MANAGERS APPOINTED)	56	THE GREAT JEWEL OF INDIA RESTAURANT
7	THE BANK	57	THE OFFICE @ WATERMARK
8	THE SWEATSHOP TSV	58	THE PIER RESTAURANT AND BAR
9	CACTUS JACKS	59	THE SALTCELLAR
10	THE BREWERY	60	TONIC LOUNGE + TAPAS BAR
11	THE CRITERION TOWNSVILLE	61	ZAMBRERO TOWNSVILLE
12	HERBERT HOTEL	62	ZIZZI ITALIAN BAR AND GRILL
13	(S1) COWBOYS LEAGUES CLUB LIMITED	57	THE OFFICE @ WATERMARK
14	HOLIDAY INN TOWNSVILLE	58	THE PIER RESTAURANT AND BAR
15	PLAZA HOTEL TOWNSVILLE	59	THE SALTCELLAR
16	NEWMARKET HOTEL (TOWNSVILLE)		
17	GREAT NORTHERN HOTEL (TOWNSVILLE)		
18	VINE 21		
19	THE VENUE TOWNSVILLE		
20	MANSFIELD HOTEL (TOWNSVILLE)		
21	SOVEREIGN HOTEL (TOWNSVILLE)		
22	AUSTRALIAN HOTEL - TOWNSVILLE		
23	SHAMROCK HOTEL (TOWNSVILLE)		
24	CROWN ON PALMER		
25	METROPOLE HOTEL TOWNSVILLE		
26	BELLEVUE HOTEL (TOWNSVILLE)		
27	SEAVIEW HOTEL (RECEIVERS AND MANAGERS APPOINTED)		
28	CASA LOUNGE BAR		
29	MONSOONS BAR AND GRILL		
30	RHINO BAR & CAFE		
31	JUPITERS CASINO		
32	HERITAGE BAR & GRILL		
33	THE WATERMARK TAVERN		
34	LONGBOARDS BAR AND GRILL		
35	MIDTOWN HOTEL		
36	TOWNSVILLE MOTOR BOAT & YACHT CLUB LIMITED		
37	A TOUCH OF SALT		
38	BENNYS HOT WOK CAFE & BAR		
39	BISTRO 1		
40	C BAR CAFE		
41	CACTUS JACK'S RESTAURANT		
42	CAPITOL REGENT RESTAURANT		
43	CAPITOL RESTAURANT		
44	DYNASTY CHINESE SEAFOOD RESTAURANT		
45	JAM CORNER		
46	LIGHTHOUSE BAR AND GRILL		
47	MASALA INDIAN CUISINE		
48	MILLIE J & CO		
49	OUTBACK JACKS BAR AND GRILL TOWNSVILLE		
50	RIBS AND RUMPS TOWNSVILLE		

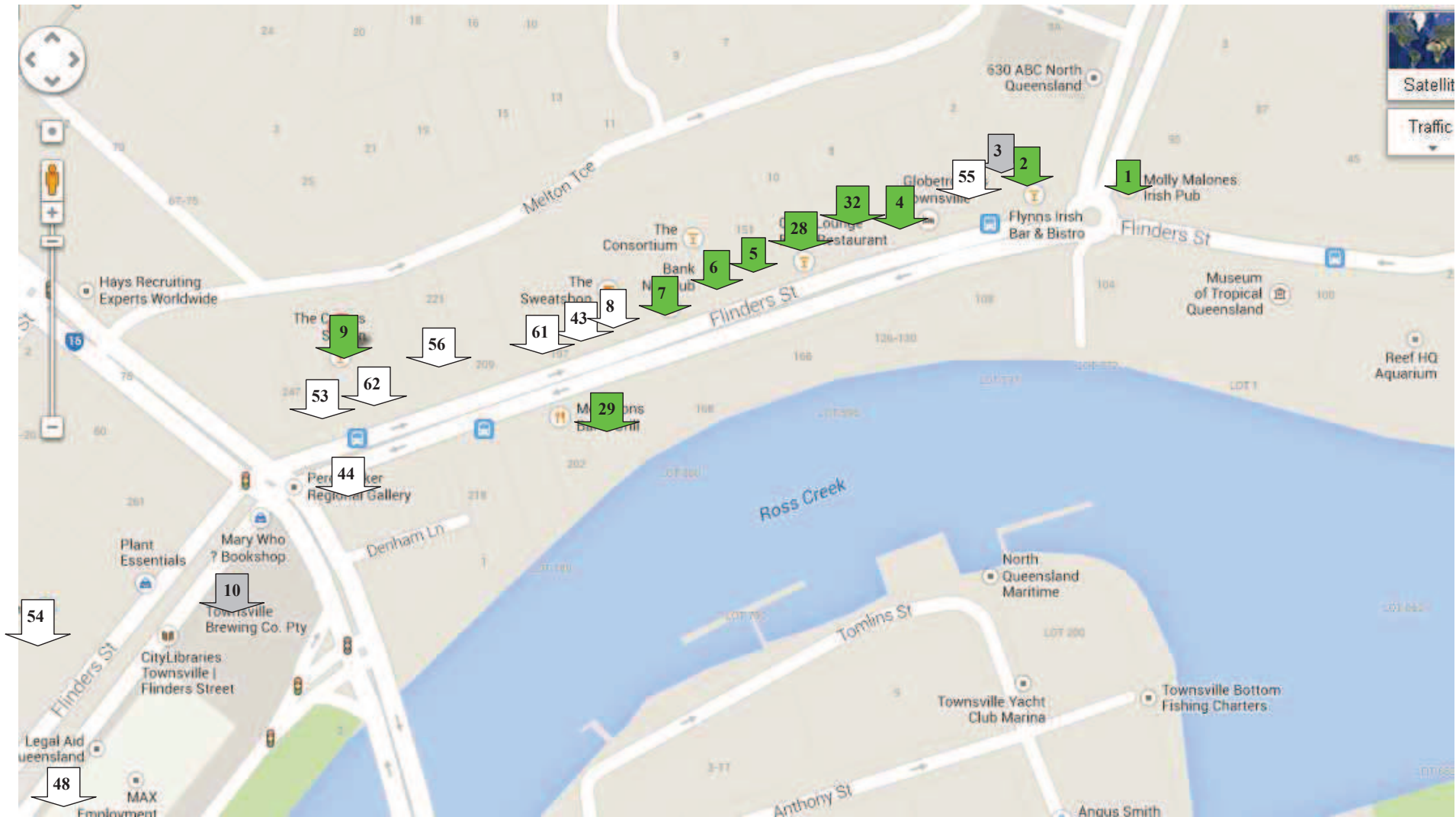
Venues within the area the controls are targeting.

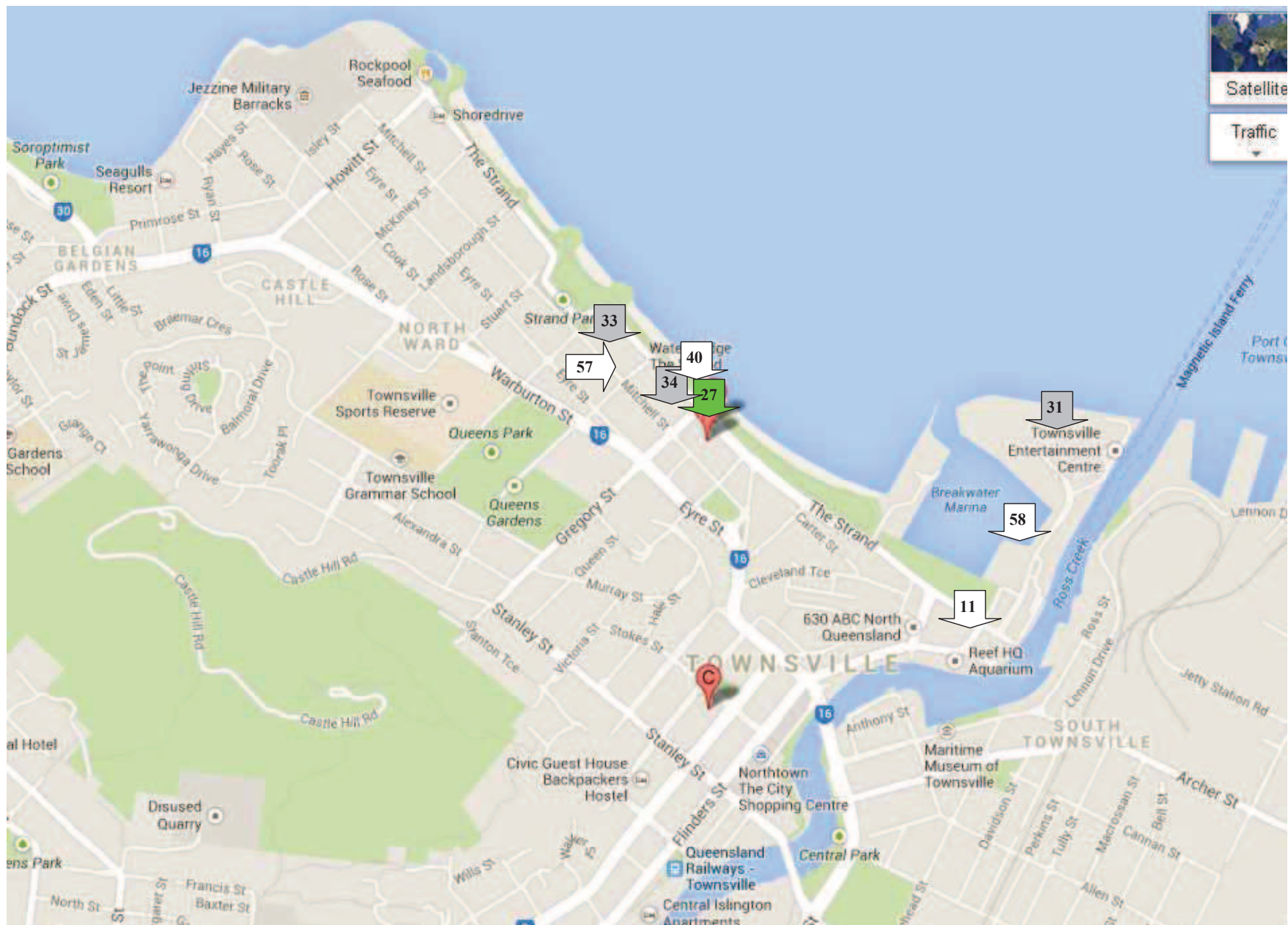
CBD Townsville Liquor Accord Members listed on original signature document when the controls were introduced in July 2012 are highlighted (green and Grey)

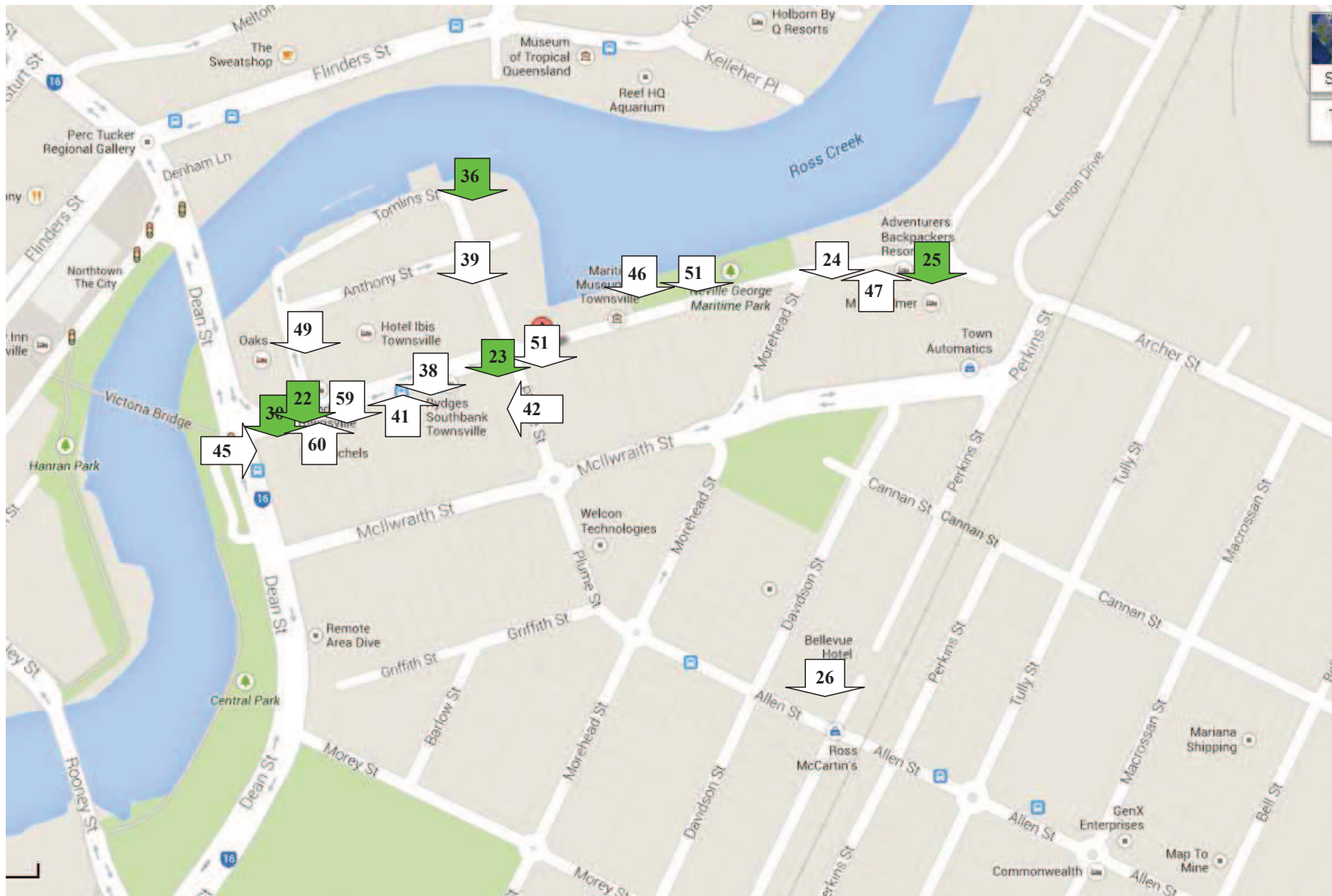
- Green indicates original signatures to the controls











LGA Townsville Nightclubs Hotels, Clubs, Restaurants and Bars			
Club	13	(S1) COWBOYS LEAGUES CLUB LIMITED	FLINDERS STREET TOWNSVILLE QLD 4810
Restaurant	near	A TOUCH OF SALT	METRO QUAYS 86 - 124 OGDEN STREET TOWNSVILLE QLD 4810
Club		AERO CLUB TOWNSVILLE INC.	TOWNSVILLE AIRPORT VISCOUNT DRIVE TOWNSVILLE QLD 4810
Club		ALICE RIVER ANGLERS INC - CLUBHOUSE	PROGRESS ROAD ALICE RIVER QLD 4817
Club		ALLIGATOR CREEK BOWLS AND RECREATION CLUB INC.	10 PARKLAND ROAD ALLIGATOR CREEK QLD 4816
Restaurant		ANGELINA'S FINE FOOD	ANNANDALE CENTRAL SHOP 16 & 17 MCARTHUR DRIVE ANNANDALE QLD 4814
Club		ARCADIAN SURF LIFE SAVING CLUB - CLUBHOUSE	ROCK POOL THE STRAND TOWNSVILLE QLD 4810
Restaurant		AROJ BANGKOK THAI RESTAURANT	140 CHARTERS TOWERS ROAD HERMIT PARK QLD 4812
Restaurant		ATOMA SUSHI	WILLOWS SHOPPING CENTRE SHOP 134 THURINGOWA DRIVE THURINGOWA CENTRAL QLD 4817
Restaurant		ATOMA SUSHI TRAIN	CASTLETOWN SHOPPINGWORLD SHOP 152 35-47 KINGS ROAD PIMLICO QLD 4812
Hotel	22	AUSTRALIAN HOTEL - TOWNSVILLE	11 PALMER STREET SOUTH TOWNSVILLE QLD 4810
Restaurant		BAREFOOT ART FOOD WINE	5 PACIFIC DRIVE HORSESHOE BAY QLD 4819
Hotel	26	BELLEVUE HOTEL (TOWNSVILLE)	17-21 ALLEN STREET SOUTH TOWNSVILLE QLD 4810
Restaurant	near	BENNYS HOT WOK CAFE & BAR	UNIT 1 17-21 PALMER STREET SOUTH TOWNSVILLE QLD 4810
Restaurant	near	BISTRO 1	30-34 PALMER STREET TOWNSVILLE QLD 4810
Hotel		BOHLE BARN	CNR BRUCE HIGHWAY & SHAW ROAD BOHLE QLD 4818
Restaurant		BOHLE STEAK-OUT RESTAURANT	BOHLES LITTLE ACRE SERVICE STATION 900 INGHAM ROAD BOHLE QLD 4818
Restaurant		BOLLIWOOD MASALA INDIAN CUISINE	SUNVALE KINGSVALE CENTRE SHOP 9 300 ROSS RIVER ROAD AITKENVALE QLD 4814
Club		BROTHERS CRICKET CLUB INC - CLUBHOUSE	GOLF LINKS DRIVE KIRWAN QLD 4817
Club		BROTHERS LEAGUES CLUB (TOWNSVILLE) LTD	GOLF LINKS DRIVE KIRWAN QLD 4817
Nightclub	3	BULLWINKLE'S CABARET	CNR FLINDERS STREET & WICKHAM STREET TOWNSVILLE QLD 4810
Hotel		BUSHLAND BEACH TAVERN	70 LIVISTONIA CLOSE BUSHLAND BEACH QLD 4818
Restaurant	near	C BAR CAFE	BUILDING B, GREGORY STREET HEADLAND 80 THE STRAND TOWNSVILLE QLD 4810

Restaurant		C BAR CAFE	RIVERWAY CULTURAL CENTRE CNR THURINGOWA DRIVE & UPPER ROSS RIVER ROAD THURINGOWA CENTRAL QLD 4817
Hotel	9	CACTUS JACKS	237 FLINDERS STREET TOWNSVILLE QLD 4810
Restaurant	near	CACTUS JACK'S RESTAURANT	UNIT 2 17-21 PALMER STREET SOUTH TOWNSVILLE QLD 4810
Restaurant		CACTUS JACK'S RESTAURANT	CANNON PARK SHOP 8B AND 3 HERVEYS RANGE ROAD THURINGOWA CENTRAL QLD 4817
Restaurant		CAFE MICHEL	7 PALMER STREET SOUTH TOWNSVILLE QLD 4810
Restaurant		CAFE SOCIETY	WILLOWS SHOPPINGTOWN SHOP 6 2 THURINGOWA DRIVE KIRWAN QLD 4817
Restaurant		CAPITOL REGENT CHINESE RESTAURANT	BUILDING SHOP 5 32-56 HIGH RANGE DRIVE CONDON QLD 4815
Restaurant	near	CAPITOL REGENT RESTAURANT	TOWNSVILLE TRANSIT CENTRE TENANCY 1 35 PALMER STREET SOUTH TOWNSVILLE QLD 4810
Restaurant	near	CAPITOL RESTAURANT	185-195 FLINDERS STREET TOWNSVILLE QLD 4810
Restaurant	28	CASA LOUNGE BAR & RESTAURANT	143-149 FLINDERS STREET EAST TOWNSVILLE QLD 4810
Hotel		CENTENARY HOTEL	35 FRENCH STREET PIMLICO QLD 4812
Restaurant		CHICO RIO	247 FLINDERS STREET TOWNSVILLE CITY QLD 4810
Restaurant		CIABATTA RESTAURANT	SHOP 1 12-14 VILLAGE DRIVE IDALIA QLD 4811
Hotel		COMMONWEALTH HOTEL (SOUTH TOWNSVILLE)	CNR MACROSSAN & ALLEN STREET SOUTH TOWNSVILLE QLD 4810
Hotel	24	CROWN ON PALMER	69 PALMER STREET SOUTH TOWNSVILLE QLD 4810
Club		CUTHERINGA BOWLS CLUB INC	8 HAROLD STREET WEST END QLD 4810
Hotel		DALRYMPLE HOTEL	310 BAYSWATER ROAD GARBUTT QLD 4814
Restaurant	near	DYNASTY CHINESE SEAFOOD RESTAURANT	228 FLINDERS STREET TOWNSVILLE QLD 4810
Hotel	5	EXCHANGE HOTEL	151 FLINDERS STREET TOWNSVILLE QLD 4810
Restaurant		FASTA PASTA CANNON PARK	CANNON PARK CITY CENTRE SHOP 8A 31-56 HIGH RANGE DRIVE THURINGOWA CENTRAL QLD 4817
Nightclub	2	FLYNN'S IRISH BAR & BISTRO	101 FLINDERS STREET TOWNSVILLE QLD 4810
Restaurant		FRANK'S PIZZA NAPOLI VESUVIANA RESTAURANT	1-9 ROSS RIVER ROAD MUNDINGBURRA QLD 4812
Restaurant		GIARDINI BY BRENT ARENA	CANNON PARK ENTERTAINMENT/LEISURE PRECINCT TENANCY 2 32-56 HIGH RANGE ROAD CONDON QLD 4815
Nightclub	6	GOLD REVOLVER (RECEIVERS AND MANAGERS APPOINTED)	159-165 FLINDERS STREET EAST TOWNSVILLE QLD 4810
Hotel	17	GREAT NORTHERN HOTEL (TOWNSVILLE)	500 FLINDERS STREET TOWNSVILLE QLD 4810

Restaurant		GUZMAN Y GOMEZ	THE PRECINCT SHOP 24 12-22 VILLAGE DRIVE IDALIA QLD 4811
Restaurant		GYO JAPANESE TAPAS BAR RESTAURANT	46 MITCHELL STREET NORTH WARD QLD 4810
Restaurant		HARMONY CAFE DELI BISTRO	815 FLINDERS STREET TOWNSVILLE QLD 4810
Hotel	12	HERBERT HOTEL	102 STURT STREET TOWNSVILLE QLD 4810
Restaurant	32	HERITAGE BAR & GRILL	137 FLINDERS STREET TOWNSVILLE QLD 4810
Club		HERMIT PARK FOOTBALL CLUB INCORPORATED - CLUBHOUSE	MERVYN CROSSMAN DRIVE MURRAY QLD 4814
Hotel		HERMIT PARK HOTEL MOTEL	100 CHARTERS TOWERS ROAD HERMIT PARK QLD 4812
Restaurant		HERVEYS RANGE HERITAGE TEA ROOMS	6 THORNTON'S GAP ROAD HERVEY RANGE QLD 4817
Restaurant		HOGS BREATH CAFE CANNON PARK	BUILDING 1 TENANCY 1 31-57 HERVEY RANGE ROAD THURINGOWA CENTRAL QLD 4817
Hotel	14	HOLIDAY INN TOWNSVILLE	CNR FLINDERS STREET, STOKES STREET & OGDEN STREET TOWNSVILLE QLD 4810
Hotel		HOTEL ARCADIA	7 MARINE PARADE MAGNETIC ISLAND QLD 4819
Hotel		HOTEL STUART	322 STUART DRIVE WULGURU QLD 4811
Hotel		IRISH FINNEGANS	CANNON PARK COMPLEX 34 HIGH RANGE DRIVE THURINGOWA CENTRAL QLD 4817
Restaurant	near	JAM CORNER	1 PALMER STREET TOWNSVILLE QLD 4810
Restaurant		JOY THAI RESTAURANT	9 TAVERN STREET KIRWAN QLD 4817
Club		JUBILEE BOWLS CLUB INC	13 BURDEKIN STREET MUNDINGBURRA QLD 4812
Club		KELSO JUNIOR SOCCER CLUB INC. - CLUBHOUSE	CHARLES MORONEY PARK CLINT STREET KELSO QLD 4815
Club		KIRWAN SPORTS AND COMMUNITY CLUB	159 BAMFORD LANE KIRWAN QLD 4817
Hotel		KIRWAN TAVERN	154 THURINGOWA DRIVE KIRWAN QLD 4817
Restaurant		LA PORCHETTA - TOWNSVILLE	269 CHARTERS TOWERS ROAD MYSTERTON QLD 4812
Restaurant	near	LIGHTHOUSE BAR AND GRILL	61-63 PALMER STREET SOUTH TOWNSVILLE QLD 4810
Restaurant	34	LONGBOARD BAR AND GRILL TOWNSVILLE	GREGORY STREET HEADLAND COMPLEX BUILDING C 80 THE STRAND TOWNSVILLE QLD 4810
Restaurant		LUKABEAN DELI CAFE	CANNON PARK CITY CENTRE SHOP 2 34 HIGH RANGE DRIVE THURINGOWA CENTRAL QLD 4817
Restaurant		LUMBINI NEPALESE RESTAURANT	SHOP 6 220 MELBOURNE STREET WEST END QLD 4101
Hotel	4	MAD COW TAVERN	129 FLINDERS STREET TOWNSVILLE QLD 4810
Club		MAGNETIC ISLAND BOWLS CLUB INC	18 MARINE PARADE ARCADIA QLD 4819
Club		MAGNETIC ISLAND COUNTRY CLUB INC.	HURST STREET PICNIC BAY QLD 4819
Hotel	20	MANSFIELD HOTEL (TOWNSVILLE)	743 FLINDERS STREET TOWNSVILLE QLD 4810
Restaurant		MARIAMS THAI RESTAURANT PTY LTD	SHOP 3 81 BUNDOCK STREET BELGIAN GARDENS QLD 4810

Restaurant	near	MASALA INDIAN CUISINE	GROUND FLOOR, ADVENTURERS BACKPACKERS RESORT 79 PALMER STREET SOUTH TOWNSVILLE QLD 4810
Restaurant		MASALA INDIAN CUISINE	CANNON PARK ENTERTAINMENT PRECINCT BUILDING 1 SHOP 5 32-56 HIGH RANGE DRIVE THURINGOWA CENTRAL QLD 4817
Restaurant		MEGA MALAYSIA	SHOP 11 32-56 HIGH RANGE ROAD THURINGOWA CENTRAL QLD 4817
Hotel		MELVILLE'S AUSSIE TAVERN	45 ALLIGATOR CREEK ROAD ALLIGATOR CREEK QLD 4816
Hotel	25	METROPOLE HOTEL TOWNSVILLE	81 PALMER STREET SOUTH TOWNSVILLE QLD 4810
Restaurant	near	MILLIE J & CO	FLINDERS SQUARE 334B FLINDERS STREET TOWNSVILLE QLD 4810
Hotel	1	MOLLY MALONES IRISH PUB	87-95 FLINDERS STREET TOWNSVILLE QLD 4810
Restaurant	29	MONSOONS BAR & GRILL	THE PAVILLION SHOP 9 194-202 FLINDERS STREET EAST TOWNSVILLE QLD 4810
Restaurant		NANDO'S KIRWAN	SHOP 4 109 THURINGOWA DRIVE KIRWAN QLD 4817
Hotel	16	NEWMARKET HOTEL (TOWNSVILLE)	495 FLINDERS STREET TOWNSVILLE QLD 4810
Restaurant		NOODIES ON THE BEACH	SHOP 2 6 PACIFIC DRIVE MAGNETIC ISLAND QLD 4819
Club		NORTH CRICKET CLUB INCORPORATED - CLUBHOUSE	MURRY SPORTING COMPLEX ENDEVOUR ROAD STUART QLD 4811
Club		NORTH QUEENSLAND CLUB	146 DENHAM STREET TOWNSVILLE QLD 4810
Club		NORTH QUEENSLAND FOOTBALL	MURRAY SPORTS COMPLEX MERVYN CROSSMAN DRIVE ANNANDALE QLD 4814
Club		NORTH THURINGOWA RUGBY LEAGUE FOOTBALL CLUB - CLUBHOUSE	PEGGY BANFIELD PARK MT LOW PARKWAY BUSHLAND BEACH QLD 4818
Restaurant		ODYSSEY ON THE STRAND	120 THE STRAND TOWNSVILLE QLD 4810
Hotel		OONOOONBA HOTEL (TOWNSVILLE)	78 ABBOTT STREET OONOOONBA QLD 4811
Restaurant	near	OUTBACK JACKS BAR AND GRILL TOWNSVILLE	8 PALMER STREET TOWNSVILLE QLD 4810
Hotel		PICNIC BAY HOTEL	1 THE ESPLANADE PICNIC BAY QLD 4819
Restaurant		PIZZA HUT WILLOWS	WILLOWS SHOPPING TOWN HERVEY RANGE ROAD THURINGOWA CENTRAL QLD 4817
Hotel	15	PLAZA HOTEL TOWNSVILLE	STANLEY STREET TOWNSVILLE QLD 4810
Club		REBELS FOOTBALL CLUB INC - CLUBHOUSE	GREENWOOD PARK SPORTING COMPLEX CNR THURINGOWA & GREENWOOD DRIVE KIRWAN QLD 4817
Restaurant		REGENT CAFE	299-301 ROSS RIVER ROAD AITKENVALE QLD 4814
Restaurant		RESTAURANT LE PARADIS	HARBOURSIDE PLAZA SHOP 8 98-100 SOONING STREET NELLY BAY QLD 4819

Club		RETURNED & SERVICES LEAGUE OF AUSTRALIA (QUEENSLAND BRANCH) TOWNSVILLE SUB BRANCH INC.	139 CHARTERS TOWERS ROAD HERMIT PARK QLD 4812
Restaurant	near	RIBS AND RUMPS TOWNSVILLE	2 DIBBS STREET SOUTH TOWNSVILLE QLD 4810
Hotel		RIVERVIEW TAVERN	247-251 RIVERSIDE BOULEVARD DOUGLAS QLD 4814
Restaurant		ROCKPOOL SEAFOOD CAFE & BAR	ROCKPOOL FLOOR FIRST THE STRAND TOWNSVILLE QLD 4810
Hotel		ROLLINGSTONE HOTEL	44040 BRUCE HIGHWAY ROLLINGSTONE QLD 4816
Hotel		ROSS ISLAND HOTEL	99 BOUNDARY STREET RAILWAY ESTATE QLD 4810
Club		ROWES BAY GOLF CLUB INC	CAPE PALLARENDA ROAD TOWN COMMON QLD 4810
Hotel		ROYAL HOTEL (TOWNSVILLE)	56 STAGPOLE STREET TOWNSVILLE QLD 4810
Club		RSL ROWES BAY RETIREMENT VILLAGE RESIDENT ASSOCIATION - CLUBHOUSE	COMMUNITY CENTRE 9 HAVANA STREET ROWES BAY QLD 4810
Club		RUPERTSWOOD & DISTRICT COMMUNITY ASSOCIATION INC	PROGRESS ROAD RUPERTSWOOD QLD 4817
Restaurant		SANDI'S ON MAGNETIC ISLAND	SHOP 1 7 PACIFIC DRIVE HORSESHOE BAY QLD 4819
Restaurant		SATAY MAS	234 CHARTERS TOWERS ROAD TOWNSVILLE QLD 4810
Restaurant		SAUNDERS BEACH BAR & BISTRO	31 LAGOON CRESCENT SAUNDERS BEACH QLD 4818
Hotel	27	SEAVIEW HOTEL (RECEIVERS AND MANAGERS APPOINTED)	56 THE STRAND TOWNSVILLE QLD 4810
Hotel	23	SHAMROCK HOTEL (TOWNSVILLE)	31 PALMER STREET SOUTH TOWNSVILLE QLD 4810
Restaurant	near	SIMPLY TOPS SEAFOOD BAR	TOWNSVILLE TRANSIT CENTRE TENANCY 8 33-35 PALMER STREET SOUTH TOWNSVILLE QLD 4810
Site Type		Site Name	Registered Multi Line Address
Restaurant		SIZZLER FLAME GRILL RESTAURANT	CNR WOOLCOCK STREET & ATTLEE STREET TOWNSVILLE QLD 4810
Club		SOUTH TOWNSVILLE BOWLS CLUB INC	2 BELL STREET SOUTH TOWNSVILLE QLD 4810
Hotel	21	SOVEREIGN HOTEL (TOWNSVILLE)	807 FLINDERS STREET TOWNSVILLE QLD 4810
Restaurant		STAGE DOOR THEATRE RESTAURANT	5-7 HAYLES AVENUE MAGNETIC ISLAND QLD 4819
Restaurant		STRAND SOUVLAKI BAR	SHOP 3 & 4 58 GREGORY STREET NORTH WARD QLD 4810
Club		SUBURBAN BOWLING CLUB INC. (HERMIT PARK)	5 CARR STREET HERMIT PARK QLD 4812
Restaurant		SUMMERIE'S	GROUND FLOOR 232-234 FLINDERS STREET TOWNSVILLE QLD 4810

Restaurant		SUN DOO RESTAURANT	110 CHARTERS TOWERS ROAD HERMIT PARK QLD 4812
Restaurant		T.U.B.E.	58 THE STRAND NORTH WARD QLD 4810
Restaurant	near	TABLE 51	51-55 PALMER STREET SOUTH TOWNSVILLE QLD 4810
Club		TENNIS TOWNSVILLE INC - CLUBHOUSE	32 BURKE STREET NORTH WARD QLD 4810
Restaurant	near	THAI INTERNATIONAL	235 FLINDERS STREET TOWNSVILLE QLD 4810
Restaurant		THAI-THAI RESTAURANT	272 STURT STREET TOWNSVILLE QLD 4810
Hotel		THE AVENUES TAVERN	KERN BROTHERS DRIVE KIRWAN QLD 4817
Restaurant	near	THE BALCONY	287 FLINDERS MALL TOWNSVILLE QLD 4810
Nightclub	7	THE BANK	167-173 FLINDERS STREET TOWNSVILLE QLD 4810
Hotel	10	THE BREWERY	252-270 FLINDERS STREET MALL TOWNSVILLE QLD 4810
Restaurant		THE COFFEE CLUB DOMAIN CENTRAL TOWNSVILLE	DOMAIN CENTRAL SHOP 12 103-141 DUCKWORTH STREET TOWNSVILLE QLD 4810
Restaurant		THE COFFEE CLUB THE STRAND	59-60 THE STRAND TOWNSVILLE QLD 4810
Hotel	11	THE CRITERION TOWNSVILLE	THE STRAND & KING STREET TOWNSVILLE QLD 4810
Restaurant	near	THE GLOBE	113-117 FLINDERS STREET EAST TOWNSVILLE QLD 4810
Restaurant	near	THE GREAT JEWEL OF INDIA RESTAURANT	215 FLINDERS STREET TOWNSVILLE QLD 4810
Hotel		THE HOTEL ALLEN	GREGORY STREET TOWNSVILLE QLD 4810
Hotel		THE MARLIN BAR	3 PACIFIC DRIVE HORSESHOE BAY QLD 4819
Hotel	near	THE OFFICE @ WATERMARK	71-74 THE STRAND TOWNSVILLE QLD 4810
Restaurant	near	THE PIER RESTAURANT AND BAR	SIR LESLIE THIESS DRIVE TOWNSVILLE QLD 4810
Restaurant	near	THE REEF THAI RESTAURANT	455 FLINDERS STREET TOWNSVILLE QLD 4810
Club		THE RUGBY CLUB (TOWNSVILLE)	165 HUGH STREET CURRAJONG QLD 4812
Restaurant	near	THE SALTCELLAR	13 PALMER STREET SOUTH TOWNSVILLE QLD 4810
Hotel		THE SUN HOTEL	6-8 ROSS RIVER ROAD MUNDINGBURRA QLD 4812
Bar	8	THE SWEATSHOP TSV	181 FLINDERS STREET TOWNSVILLE QLD 4810
Nightclub	19	THE VENUE TOWNSVILLE	719-741 FLINDERS STREET TOWNSVILLE QLD 4810
Club		THURINGOWA RSL & EX-SERVICES CLUB INC	13 KELSO DRIVE KELSO QLD 4815
Hotel		TOM'S TAVERN	ARTHUR STREET AITKENVALE QLD 4814
Restaurant	near	TONIC LOUNGE + TAPAS BAR	3 PALMER STREET SOUTH TOWNSVILLE QLD 4810
Club		TOWNSVILLE BASKETBALL INCORPORATED - CLUBHOUSE	MURRAY-LYONS CRESCENT ANNANDALE QLD 4814
Club		TOWNSVILLE BOWLS CLUB INC	CNR KING STREET & THE STRAND TOWNSVILLE QLD 4810

Club		TOWNSVILLE CYCLE CLUB INC - CLUBHOUSE	76 STUART DRIVE IDALIA QLD 4811
Club		TOWNSVILLE DARTS ASSOCIATION INC	MURRAY SPORTS COMPLEX MERVYN CROSSMAN DRIVE ANNANDALE QLD 4814
Club		TOWNSVILLE FOOTBALL INC - CLUBHOUSE	MURRY SPORTING COMPLEX, BROLGA PARK WILLIAM ANGLISS DRIVE MURRAY QLD 4814
Club		TOWNSVILLE GOLF CLUB INCORPORATED	BENSON STREET ROSSLEA QLD 4812
Club		TOWNSVILLE GUN CLUB INC	35919 BRUCE HIGHWAY NOME QLD 4816
Club		TOWNSVILLE HOCKEY ASSOCIATION INCORPORATED	MERV CROSSMAN DRIVE TOWNSVILLE QLD 4810
Club		TOWNSVILLE ITALO AUSTRALIAN SPORTING ASSOCIATION INCORPORATED	5-11 FLEMING STREET AITKENVALE QLD 4814
Club	near	TOWNSVILLE MOTOR BOAT & YACHT CLUB LIMITED	1 PLUME STREET TOWNSVILLE QLD 4810
Club		TOWNSVILLE PICNIC BAY S.L.S SUPPORTERS CLUB INCORPORATED	80 THE STRAND NORTH WARD QLD 4810
Club		TOWNSVILLE RODDERS & CUSTOM CAR CLUB INCORPORATED - CLUBHOUSE	17A YARROWEE STREET CURRAJONG QLD 4812
Club		TOWNSVILLE SAILING CLUB INC	THE STRAND 9-11 MARINERS DRIVE TOWNSVILLE QLD 4810
Club		TOWNSVILLE TAXATION SOCIAL CLUB - CLUBHOUSE	STANLEY PLACE 235 STANLEY STREET TOWNSVILLE QLD 4810
Club		TOWNSVILLE TOWN AND COUNTRY CLUB	72 INGHAM ROAD TOWNSVILLE QLD 4810
Hotel		UPPER ROSS HOTEL	1209 UPPER ROSS RIVER ROAD RASMUSSEN QLD 4815
Club		UPPER ROSS JUNIOR RUGBY LEAGUE INC	CLINT STREET KELSO QLD 4815
Hotel		VALE HOTEL	222 ROSS RIVER ROAD AITKENVALE QLD 4814
Hotel		VICTORIA PARK HOTEL (TOWNSVILLE)	266 BOUNDARY STREET SOUTH TOWNSVILLE QLD 4810
Club		VIETNAM VETERANS MOTORCYCLE CLUB TOWNSVILLE CHAPTER INC - CLUBHOUSE	UNIT 4 31 CASEY STREET AITKENVALE QLD 4814
Hotel	18	VINE 21	BUILDING D TENANCY B 520 FLINDERS STREET TOWNSVILLE QLD 4810
Club		WANDERERS CRICKET CLUB INC - CLUBHOUSE	GILL PARK HUGH STREET PIMLICO QLD 4812
Hotel		WEST END HOTEL	89 INGHAM ROAD TOWNSVILLE QLD 4810
Restaurant		WILLY'S CANTINA	SHOP B 278 BAYSWATER ROAD CURRAJONG QLD 4812
Club		WULGURU UNITED FOOTBALL CLUB INC - CLUBHOUSE	14 EDISON STREET WULGURU QLD 4811
Restaurant		YONGALA LODGE	11 FRYER STREET NORTH WARD QLD 4810
Restaurant	near	ZAMBRERO TOWNSVILLE	205-207 FLINDERS STREET EAST TOWNSVILLE QLD 4810
Restaurant	near	ZIZZI ITALIAN BAR AND GRILL	243 FLINDERS STREET EAST TOWNSVILLE QLD 4810

ACCC
Other Information requested (Section 12)

Please refer to the list below that identifies direct extracts from research/journal articles, in response to Item 12a.....*If available, can the OLGR refer to, and provide to the ACCC, more recent studies or research articles that:*

- i. *support its claims regarding the benefits associated with the proposed conduct; and*
- ii. *relate to the effects of spirits as a particularly problematic beverage, relative to other alcoholic beverages.*

1. ANPHA [Australian National Preventative Health Agency]. (2012). *Exploring the public health interest case for a minimum (floor) price for alcohol. Draft report. November 2012. Canberra: ANPHA*

....Response of consumers to a minimum price

The Agency concludes that international empirical evidence on reduction in harms from the actual implementation of a floor price is limited, but that harms can clearly be reduced through such a measure; the long-term evidence of sustainability of harms reduction remains unclear. Importantly, for policy consideration, as noted earlier, price as a measure is more effective when implemented as part of a broader suite of actions aimed at reducing harmful alcohol consumption.

Evidence for the Effectiveness of Pricing Policies in Reducing Harmful Consumption of Alcohol
In examining the evidence available for the effectiveness of pricing policies, evidence from price elasticity studies and existing research on alcohol price, consumption and harms has been considered. Pricing policies are not the only option available to influence harmful alcohol consumption; however, the evidence consistently indicates that increasing prices is an effective lever in reducing harmful alcohol consumption. Meta-analyses have linked increases in alcohol prices to significant reductions in alcohol consumption and related harms.[\[1\]](#)[\[2\]](#)

2. Whilst the relationship between alcohol price and consumption of specific beverages can vary significantly, in general, an increase in the price of alcohol leads to a decrease in alcohol consumption and alcohol related harm.[\[3\]](#)[\[4\]](#)[\[5\]](#) The Preventative Health Taskforce's technical report on alcohol reviewed more than fifty studies from around the world indicating that when alcohol increases in price, consumption is reduced.[\[6\]](#) The World Health Organization (WHO) states that increasing alcohol price is one of the most effective strategies for reducing alcohol consumption at the population level.[\[7\]](#)

3. The evidence for pricing policies in Australia is limited. However, initiatives previously undertaken in the Northern Territory, such as the Living with Alcohol program, have demonstrated that price can influence consumption and harms (see Box 3).

In examining the link between price and demand, the issues paper considered evidence from two recent meta-analyses (Wagenaar, A.C. et al 2009[\[20\]](#) and Gallet, C.A. 2008[\[21\]](#)), as well as the Sheffield Study – a study into policy options for alcohol price regulation in the United Kingdom.[\[22\]](#)
8. The two meta-analyses suggest that a 10 per cent increase in the price of alcohol is associated with a 5 per cent decline in overall consumption (price elasticity = -0.5). This suggests that while alcohol is price responsive, it is relatively price inelastic.[\[23\]](#)[\[24\]](#) Along with providing an overall price elasticity of demand for alcohol, the meta-analyses also demonstrate that there is a difference in demand for different alcoholic beverages, with demand for beer being more inelastic than demand for wine or spirits (see Table 1).[\[25\]](#)

Table 1: Price elasticity for alcohol reported in three meta-analyses

Study	Alcohol (all)	Median price elasticity		
		Beer	Wine	Spirits
Wagenaar, et al (2009)	-0.51	-0.46	-0.69	-0.80
Gallet (2007)	-0.52	-0.36	-0.70	-0.68
Fogerty (2006)	NA	-0.38	-0.77	-0.70

Source: Adapted from Babor, T., et al (2010). Table 8.1, p113. NA = not available

Other Information requested (Section 12)

The evidence for pricing policies reducing alcohol related harm was supported by a number of submissions. The Western Australian Police noted:

There is evidence that increasing price can reduce traffic crash outcomes, violence and crime (as well as alcohol-related disease and injury) (sub. 22, p.1)

Minimum pricing policies have the potential to reduce the impact on police resources of the harms associated with cheap alcohol (sub. 22, p.4)

The Australian Medical Association stated:

Increasing the price of alcohol not only reduces alcohol consumption, but also reduces alcohol-related harms. A number of literature reviews have supported an association between increases in alcohol price and reductions in harm, with increased prices correlating with reduced healthcare costs, fewer alcohol-related hospital admissions, and reductions in alcohol-related crime and violence (sub. 31, p.4)

18. In summary, the Agency notes that international and national evidence on how price can affect the purchasing behaviour of particular consumer groups is mixed, but the analyses and interventions focused on public health outcomes (e.g. WHO, Canadian analyses of empirical data and the NT program) have indicated price-related strategies are effective in reduction of alcohol-related harms.

2. Alcohol and Other Drugs Council of Australia. (2012). Editorial – Mr Jon White, Chief Executive Officer, ANZPAA [Australia New Zealand Policing Agency]. Retrieved from http://www.adca.org.au/sites/default/files/publications/adcanews_may_issue%2058_web.pdf

- *The link between violence and alcohol misuse is well established, with around 40 per cent of people detained by police attributing their offence to alcohol consumption*
- *see the availability, affordability and accessibility of alcohol by the community, and in particular by young people, a major area of concern.*
- *Pricing has a significant impact on the amount of alcohol consumed. Considerable evidence both nationally and internationally suggests that low alcohol prices encourage higher consumption, including heavier drinking on each occasion and underage drinking*

3. Australian Chronic Disease Prevention Alliance. Alcohol Pricing and Taxation Position Statement. Retrieved from <http://www.cancer.org.au/content/pdf/ACDPA/110930-Final-ACDPA-PS-Alcohol-Taxation-position-paper.pdf>

- *Younger people amongst whom the risk of alcohol related harms is particularly high are especially responsive to alcohol prices.*
- *There is strong evidence that young, binge and harmful drinkers tend to choose cheaper drinks. As a result, establishing a minimum price for alcohol which raises the cost of alcohol at the cheapest end of the spectrum is likely to have a substantial impact on overall consumption levels and on drinks at most risk of harm.*

PART B – SUBMISSION PROVIDED BY THE CBD TOWNSVILLE LIQUOR ACCORD ON 30 JANUARY 2014



Your Ref: 52199
Contact Officer: Megan Cunningham
Contact Number: 03 9290 1856

30/01/2014

Megan Cunningham

Senior Project Officer | Adjudication Branch
Australian Competition & Consumer Commission

By email: Cunningham, Megan Megan.Cunningham@accc.gov.au

Copy: Greg Powell, Secretary CTLA
Lindsay Descovich, Office of Liquor and Gaming Regulation
John Tolhurst, Office of Liquor and Gaming Regulation
Gavin Jones, Australian Competition & Consumer Commission

Dear Ms Cunningham,

I refer you to your requests for information relating to:

Office of Liquor and Gaming Regulation – reauthorisation application A91385 & A91386 – information requested

I present to you for your consideration in response from CBD Townsville Liquor Accord to Annexure A. supplied by your office.

If you require clarification on answers provided please do not hesitate to contact me any time.

Yours sincerely

Mark Napier
President CTLA

Townsville Accord experience

Given there has now been conduct undertaken pursuant to the 2010 authorisation, the ACCC will review the effects of that conduct to confirm whether the benefits and detriments anticipated at the time of the 2010 authorisation have been realised. Therefore, to the fullest extent possible, your answers to the questions below should avoid giving anecdotal evidence and focus on providing quantifiable responses.

1. Please describe the area targeted by the CBD Townsville Accord. For instance, discuss how close together the venues are, provide their addresses and provide addresses of liquor venues located outside the boundaries of the accord, but close by. Alternatively you may wish to provide a scaled map marking the individual venues.

** **CTLA (CBD Townsville Liquor Accord) Response:** Information in response to question 1 has been provided by OLGR*

2. In relation to the minimum prices implemented by signatories to the Townsville Accord:
 - a. Why did Townsville Accord (with support of OLGR) decide that implementing minimum prices for spirits was the most suitable pricing mechanism to minimise alcohol-related harm?
 - What alternative pricing mechanisms were considered and why were those measures dismissed?

** **CTLA Response:** CTLA received opinion from QLD Police and OLGR that problematic behaviour was occurring on Tuesday evenings and evenings before public holidays but also Friday nights. Which were promotions based around spirits only.*

Consideration was taken on all alcoholic products, how they were served and type of drinking vessels they were served in and what promotions were currently in place at the time of consideration.

*CTLA came to the conclusion that it would be too difficult for its members to have a blanket of price controls on several different products and the drinking vessels they were served in. Example: Beer – is served in *pots *schooners *pints *jugs *stubbies *buckets (4 stubbies to bucket), Wine – is served in *glass *flutes *bottles *piccolo's.*

The other conclusion was the type of licenced premise, the members back grounds was restaurants, pubs and nightclubs and would have been a disadvantage to those small business within the precinct boundaries.

To have implemented price controls on all known serviceable products would have been difficult to manage and the CTLA would not put its members under any more scrutiny for the problems that present in the precinct, was an 'unknown' to whether PLAA would result to reduce alcohol fuelled violence as this was never trailed and has only ever been a voluntary to join the accord and voluntary to implement price controls if the licensee chose to.

- Were the measures contained in the PLAA considered insufficient or not specific enough? If so, why?

- * **CTLA Response:** *The measures were deemed suitable at the time of implementing. Consultation with QLD Police, OGLR and Council in relation to the trail of the PLAA and all agreed Spirits were deemed to be the problematic issue.*

The time frame was suitable given the statistics provided by the QLD Police in relation to overall offences reduced and of course the more serious offences such as grievous bodily harm. As well as the reported feedback from QLD Police, Chaplains, Licensees and general public were noticing a reduction in street related altercations or bad experiences. The precinct appeared safer.

- Why were minimum prices applied to spirits specifically?

- * **CTLA Response:** *At the time the CTLA received opinion from QLD Police and OLGR concerns with promotions from 2-4-1's drink specials (predominantly spirits) and Cheap Tuesdays/Uni Night (predominantly spirits). Spirits were served predominantly in rock glass (285mL) and at the time of introduction of PLAA the main licenced venues were late night traders but did include restaurants trading as bars and pubs early evening were promoting 2-4-1's or heavily discounted to get patrons into venues early.*

- b. What was the rationale for implementing minimum prices at all times of the week, rather than only at specific times of the week? Was the problematic behaviour occurring during all trading hours, or was it primarily occurring on Tuesday evenings and evenings before public holidays?

- * **CTLA Response:** *CTLA received opinion from QLD Police and OLGR that problematic behaviour was occurring on Tuesday evenings and evenings before public holidays but also Friday nights. Friday nights the patron could follow the drink promotion of 2-4-1's from licenced venue to another, as one licenced venue completed a two hour period of 2-4-1's, another licenced venue would start 2-4-1's. The practise of this promotion started from 4pm (venues outside of precinct boundaries) and finished around 11pm (within precinct boundaries).*

The implantation of PLAA would mean no promotions on 2-4-1's and effectively stopped the heavily discounted and dangerous drinks promotions, effectively what QLD Police and OLGR sought to happen.

- c. The ACCC understands that the Townsville Accord (and PLAA) aims to ensure that consumers face incentives to consider opting for non-alcoholic or lower-alcoholic drinks. Why was it decided to apply only a 50 cent price difference between full and half nip spirits on Tuesdays and on days before public holidays?

- * **CTLA Response:** *as a liquor licencing requirement, the licenced venue must offer alternative lower alcohol options priced lower than full strength options. The value of 50 cents was just agreed upon by the accord at the time of implanting.*

- d. The ACCC understands that only a limited number of venues subject to the Townsville Accord were pricing below the minimum prices set under the Townsville Accord prior to its introduction. Of those venues:

- Please provide current contact details (venue name, contact name, position, email address and contact number).
- * **CTLA Response:** *cannot provide this information. OLGR will need to provide.*
- What was their normal pricing of spirits (i.e. the pricing outside of promotional or discounting periods) prior to the adoption of the Townsville Accord? What was their discounted pricing on Tuesdays, on the day before public holidays and at all other times?
- * **CTLA Response:** *at the time of introduction the sale pricing varied from \$7.00 - \$7.50 - \$8.00 on spirits. Discounted price on Tuesday was \$3.00 on spirits. And there was no discounts known to the accord for public holidays.*
- What effects did they report as a result of increased spirit prices? What was the effect on the profitability of those venues? Consider factors such as whether customers switched to consuming other alcoholic drinks at the same venue, whether they consumed less overall, whether they now consume more low-alcohol content drinks, whether that venue initiated greater discounts on other types of drinks, whether the venue lost customers (provide the change in volume of customers where possible) and whether more customers may have been 'pre-loading'.
- * **CTLA Response:** *CTLA cannot comment on or does not have this information on the profitability of venues? Or if patrons consumed other alcoholic drinks.*
- However CTLA can comment that the price controls are only on spirits, so this would mean that a licenced venue could still complete promotions around beers, wines or other products, at the licenced venues discretion and not the accord. Example: bucket of 4 x coronas at \$20.00 or \$5.00 for 5 glasses of wines of \$5.00 at 5pm on all top shelf spirits, beers or wines.*
- Price controls on spirits only (minimum \$5 sale price any other night apart from Tuesday and Public Holiday), did not limit what a licenced venue could do to entice patrons into their venues.*
- What proportion of overall drink sales do spirit sales represent at those venues? Did this change after the Townsville Accord was implemented?
- * **CTLA Response:** *predominately late night venues (open 8pm and close of 3am or 5am) are spirits. CTLA cannot comment if this changed in venues.*

- e. The ACCC understands that some premises discounted some drinks to as low as 80 cents during particular promotional periods. Which premises were offering discounts at or around this level? Were discounts of this type being offered on a sustained basis or were they more limited (such as one-off promotions for particular times)?

* **CTLA Response:** *cannot comment with regards to the 80 cents? But those venues whom were participating in 2-4-1's and encouraging rapid consumption of alcohol were*

- **Watermark 4-7pm**
- **Brewery 5-7pm**
- **Monsoons 7-9pm**
- **Bank 9-11pm**

The promotion was every Friday and all venues were located within 3 kilometres from one another. Obviously the promotion was held early night leaving late night venues and authorities to handle the intoxicated patrons that spilled into the precinct. Friday night was considered the worst night for offenses compared to rest of weekend.

- f. Are you aware of any instances of venues discounting other types of alcoholic beverages instead of spirits after the introduction of the Townsville Accord? If so, provide details.

* **CTLA Response:** *Are aware of venues that were a part of the accord and its voluntary price controls participate in beer, wine or cocktail promotions. Not 2-4-1's.*

But this was not considered a high risk practise or high risk alcohol by the QLD Police or OLGR. Members of the accord still had opportunities to market their venues through other products or meal deals.

- g. What effect was experienced by drinking venues participating in the Townsville Accord when The Bank withdrew from the accord?

* **CTLA Response:** *This did place pressure on the accord and its members as the authorities had no power to act as those venues were not breaking the law.*

This did place pressure on those businesses that were part of price control competing with venues that blatantly started price pointed promotions as they were aware of the initiative of the accord.

The operator of the Bank at the time owned Monsoons, which both venues were due for repairs and relied on heavily discounted drinks.

- h. How low, for long and how frequently are discounting promotions occurring at The Bank and Bullwinkle's Cabaret or any other non-participating venue?

* **CTLA Response:** *Every night of the week.*

3. What was the rationale for the provision in the Townsville Accord:

- a. banning the supply of shots after 2am? Provide commentary on the effectiveness of this measure.

* **CTLA Response:** *The accord and its members believe the supply of straight alcohol would increase to unruly and intoxicated patrons. This is now become the norm for patrons that they will not receive shooters after 2am in participating venues. The precinct has seen a decline in overall offences after 2am.*

- b. banning touting or hawking close to other licensed venues?

* **CTLA Response:** *Has decreased the need to throw into patron's faces the urgency to drink or offer discounted drinks.*

4. To the best of your knowledge, describe any changes to the pricing structure in venues of beverages other than spirits as a result of the Townsville agreement. In your answer, please include details of:

- a. whether any venues reduced the prices of non-alcoholic drinks and/or half nip drinks to comply with the provisions of the agreement; and

* **CTLA Response:** *cannot comment on what other venues sell their drinks at without having to go into specifics and business confidentiality.*

- b. whether any venues increased the price of full-strength beer or reduced the price of low alcohol beer to comply with the agreement.

* **CTLA Response:** *The precinct has seen an increase in pricing overall and pricing is comparable from low strength beer as to full strength beer. This is mainly due to CPI increases from wholesalers.*

From a patrons point of view they would see the difference in costing from low to full strength beer without having to compare of all types of drinking vessels.

5. Provide information of any additional price or supply arrangements (including oral agreements) in place to implement the measures contained in the Townsville Accord. For example, any measures relating to half price drinks, maximum duration of discounts or not running promotions that may encourage patrons to consume liquor irresponsibly.

* **CTLA Response:** *No additional price of supply arrangements outside of the agreed price controls within the accord doc.*

6. Please provide the written report(s) that was prepared as required every twelve months by condition 2 of the 2010 authorisation.

* **CTLA Response:** *ACCC have received information on the condition 2 of the 2010 authorisation? In previous material provided to the ACCC office.*

7. Did OLGR make an assessment as required by condition 1(d) that inclusion of price controls by Townsville Accord (particularly the establishment of minimum prices) was not disproportionate to the identified harms? What other price controls did the OLGR consider instead of setting minimum prices? Please provide any details of, or documents that record or relate to the assessments.

* **CTLA Response:** *Information in response to question 7 has been provided by OLGR*

8. Please provide any comments regarding any issues that have risen in relation to the conditions and their effectiveness.

* **CTLA Response:** *Information in response to question 8 has been provided by OLGR*

Other information requested

9. In the absence of continued authorisation for the price and supply controls contained in the PLAA, from Townsville Accord's point of view, what would happen in relation to the Townsville Accord? What would be the consequences, from OLGR's point of view?

* **CTLA Response:** ** A partial response has been provided by OLGR in response to question 9.*

CTLA Response: *Townsville has experienced a down turn in the overall economy. This has direct reflection within the hospitality industry.*

The consistent barrage of media attention particularly local with regards to alcohol related violence and the Flinders St Precinct/cbd has really impacted local business.

Voluntary sales of no shooters after 2am or no 2-4-1's would stay, but in my opinion. However I would suspect regular discounting would occur to entice patrons out into the city midweek and early periods of the night.

In relation to overall offences and or the possibility of an increase in offences, this will only be determined by the Queensland Government if they increase harsher penalties for those people who commit a violent act in and around licenced premises.

10. In the absence of an authorisation for setting minimum prices, what arrangements would be incorporated into the Townsville Accord in the alternative?

* **CTLA Response:** *To promote not to engage in heavy discounting that will encourage rapid consumption of alcohol. This cannot be set as a dollar figure.*

11. Explain why minimum prices, or price controls more broadly, are required for venues that are already complying with other responsible service of alcohol obligations (for instance, by not serving alcohol to unduly intoxicated patrons).

- * **CTLA Response:** *quiet simply a venue can give away FREE drinks and this will still comply with OLGR regulations. The venue could have intoxicated persons within the venue, but it's only when the persons show signs of unduly intoxication is when this becomes illegal.*

The re-education to our patrons on moving away from looking for discounted drinks and to drink responsibly all too hopefully reduce offences and alcohol related harm.

12. In relation to OLGR's submissions at the time of the 2010 authorisation:

- a. If available, can the OLGR refer to, and provide to the ACCC, more recent studies or research articles that:
 - i. support its claims regarding the benefits associated with the proposed conduct; and
 - ii. relate to the effects of spirits as a particularly problematic beverage, relative to other alcoholic beverages (we note that spirits were also targeted in the Whitsunday Accord).
- b. Does the Code of Practice for the Responsible Service, Supply and Promotion of Liquor (referred to by the ACCC at paragraph 2.6 of the 2010 Determination) still play a role in the liquor industry? If so, what is that role?

- * **CTLA Response:** *Information in response to question 12 has been provided by OLGR*

Note that the PLAA should be updated to reflect that the *Competition and Consumer Act 2010* has replaced the *Trade Practices Act 1974*.