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Our Ref: CS.08.01  
**Enquiries: Nick Kearns**

23 September 2020

Peter Minchin  
Director Liquor Control and Arbitration  
Department of Local Government, Sport and Cultural Industries  
PO Box 8349  
Perth Business Centre, WA 6849

Dear Mr Minchin

**THE AVAILABILITY OF PACKAGED LIQUOR IN DERBY, BROOME, KUNUNURRA AND WYNDHAM**

Thank you for the opportunity for Council to comment in relation to the above.

Council supports the implementation of measures through the Kununurra Wyndham Alcohol Accord, which are aimed at reducing alcohol related harms within a collaborative arrangement with government and business and also with respect to the ongoing implementation of the TAMS (Take Away Management System) which has been in place since 2014. Council also notes the comments of the Commissioner of Police with regard to links between the use of alcohol and increases in harm across the community.

Council is aware that any further changes to the current section 64 restrictions which would further restrict the availability of alcohol, would have a number of negative impacts upon business, locals and visitors. This would have a consequent negative impact upon the tourist industry and tourist operators, being a sector that has been greatly impacted by movement restrictions under the government's state of emergency and of course upon the liquor outlets directly. Further restrictions would also affect outlying station operators and penalise those people in the community that by and large consume alcohol in a responsible manner. It is the Council's view, therefore, that a mechanism that targets the individual, rather than 'blanketing' the broader community (of responsible drinkers) is preferred and which it believes can be best achieved through the implementation of a banned drinkers register.

It is the Council's understanding that the Kununurra Wyndham Alcohol Accord has written to a number of Ministers for the purpose of implementing a banned drinkers register in the Shire. This is an approach that Council strongly supports and which is able to be implemented easily given the capability of the current TAMS which already accepts names supplied by liquor outlets and government offices, as an opt out to purchase alcohol and as a 'do not serve' register. This is an approach that is also supported at a regional level, across the four municipalities that comprise the Kimberley.

In the absence of a banned drinkers register or similar mechanism being implemented, the Council suggests that the Director apply a consistent approach with respect to liquor restrictions and suggest the following criteria (as a start):

- Liquor restrictions should be robust enough to achieve the desired effect i.e. to reduce the incidence of 'problem drinking' alcohol misuse including high levels of consumption and associated alcohol related harms.
- As much as possible, reduce inconvenience to 'responsible drinkers' thereby reducing the creation of community division and labelling of specific groups in the community as a problem.
- Applying restrictions across all premises that are able to sell packaged liquor – not just the main take-away outlets in Kununurra and Wyndham, which would extend also to accommodation premises.
- Application of restrictions that are consistent with best practice and which are already being implemented elsewhere, such as the Pilbara, and which take account of visitors/tourists and station operators for bulk purchase arrangements.
- Practical implementation is critical to the successful implementation of liquor restrictions. Where there are restrictions rather than total prohibition of alcohol, community awareness and education of the restrictions is required as well as the tools to implement and monitor the effect of the restrictions.

Should you have any further queries related to this matter, please do not hesitate to contact me.

Yours Sincerely,

Vernon Lawrence  
Chief Executive Officer