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Adelaide Oval – Application for Variation to Conditions (App. No. 215930)

This is an application by Adelaide Oval SMA Limited (AOSMA) to vary the conditions of their On Premises Licence as follows:

Current:

Liquor shall only be sold or supplied in plastic cups, except in corporate facilities, dining rooms, or at functions and receptions.

Proposed:

Liquor shall only be sold or supplied in plastic cups or aluminium cans, except in corporate facilities, dining rooms, or at functions and receptions.

The Commissioner of Police lodged an intervention against the application under section 28AA of the Act on the grounds that to grant the application would be contrary to the public interest.

I note that the parties have reached an agreement in which the variation of conditions has been agreed to, subject to an initial review period of 12 months.

The licensee has also agreed to a number of commitments to alleviate the public safety concerns raised by SAPOL. Whilst these do not form licence conditions for the purpose of the Act, I will note them in the order as they form part of the agreement between the parties:

1. AOSMA will commit to making stadium announcements on the screens during events at Adelaide Oval, in relation to responsible consumption of alcohol, including:
 - a. warning patrons against using cans as a projectile;
 - b. warning that using cans as a projectile can be a criminal offence; and
 - c. warning that using a can as a projectile will attract a ban from attendance at Adelaide Oval, which may be for a period of up to two years.
2. The exact wording of the warnings, and the regularity of the warnings, is to be agreed between AOSMA and SAPOL, and AOSMA commits to working with SAPOL to ensure it is comfortable with the wording and regularity applied.
3. AOSMA will commit to imposing a ban from attending Adelaide Oval for patrons found to be using a can as a projectile. The ban may be for a period of up to two years.
4. AOSMA will commit to engaging in a review and debrief with SAPOL at the completion of each day of any major event held at Adelaide Oval. AOSMA and SAPOL will work together to determine which events require this debrief.

I have considered the information provided by both parties in terms of the public interest and public safety. In particular, I note that the Melbourne Cricket Ground (MCG) recently undertook a trial to reintroduce aluminium cans at the venue. Whilst there continued to be alcohol related incidents during the trial, thus far these have not been attributable to the re-introduction of aluminium cans, and the change has been well received at the MCG.

I have also considered the very low occurrence of alcohol related incidents involving aluminium cans historically. SAPOL noted two incidents involving aluminium cans at sporting venues, one in 1971 and the other in 1989. These incidents occurred a significantly long time ago and the current safety, service and monitoring arrangements in place at the oval, including responsible service of alcohol measures, security personnel and real time CCTV monitoring, are significantly different to what was in place back when these incidents occurred.

I am advised that the venue will continue to offer drinks in plastic cups, this change to their licence will allow them to also offer cans for certain lines. I am further advised that the venue will not be

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removing any infrastructure used for the provision of alcoholic beverages on tap into cups and therefore will be able to quickly revert to plastic cups only should the need arise.

Having considered all this, I am of the opinion that the application ought to be granted as agreed between the parties, with an additional variation to ensure that liquor sold or supplied in aluminium cans must be opened by the licensee at the point of sale. I consider this will further reduce the risk of cans being used by patrons as a projectile.

I therefore approve the following variation to the conditions of the licence:

*Liquor shall only be sold or supplied in plastic cups or aluminium cans, except in corporate facilities, dining rooms, or at functions and receptions. **Liquor sold or supplied in aluminium cans must be opened by the licensee at point of sale.***

Dini Soulio

Liquor and Gambling Commissioner

27 July 2022