

## Annexure A

# Review of Port Augusta Liquor Restrictions 2022

## Background

On 8 February 2022 the Liquor and Gambling Commissioner (**the Commissioner**) imposed restrictions in relation to the sale of alcohol in Port Augusta for a two week period. The restrictions were imposed at short notice as a result of information received from South Australia Police (SAPOL) indicating there had been an increase in alcohol related offences and antisocial behaviour within the township of Port Augusta in the preceding weeks. The Commissioner considered it was necessary to take urgent action to seek to reduce health related harms associated with excessive consumption of alcohol and to minimise the increased anti-social behaviour and alcohol related violence caused by the excessive or inappropriate consumption of liquor.

The restrictions were similar to restrictions that have been in place in Ceduna and Coober Pedy for a number of years. The restrictions were as follows:

- *Bottle shops are not permitted to open for trade before 11am*
- *Customers can only purchase ONE of the following restricted items per person per day for takeaway:*
  - *One bottle of spirits OR*
  - *One 2L cask wine (any casks over 2L cannot be purchased) OR*
  - *One bottle of fortified wine/port.*
- *Photograph identification (driver's licence or proof of age card) must be shown when purchasing any of the items listed above and the details of the purchase (name, address, type of liquor and quantity purchased) must be recorded in a register (either handwritten or electronic) and retained by the licensee for the duration that the restrictions remain in force.*
- *Liquor cannot be sold to any person who attends a bottle shop drive-through in a taxi, including the taxi driver.*
- *Restrictions limiting the volumes of cask wine, spirits and fortified wine/port do not apply to managers and supervisors of station properties; managers and supervisors of companies operating mining ventures and other licensees.*

The Commissioner sought feedback in relation to the impact of the restrictions imposed for two weeks. There was significant support by help services, health services in the area and also SA Police for the continuation of restrictions provided. The Port Augusta Hospital, in particular, provided feedback reporting a significant reduction in alcohol related admissions and injuries during the two weeks the restrictions were imposed and help services such as the Sobering Up Unit reported significant reductions in admissions.

As a result of the feedback received, the Commissioner determined it was in the public interest to extend the temporary restrictions in Port Augusta for a further period of 4 weeks, with some variation. One of the concerns raised by licensees was in relation to the requirement to produce identification by customers and the need to record and retain that information by licensees. The Commissioner removed that requirement, recognising that without

technological support, this condition was too onerous for licensees. The effect of this was that restrictions on quantities were limited to per transaction, rather than per person per day. The quantity restriction on spirits was also lifted.

The conditions imposed on 8 February 2022 were therefore substituted with the following conditions to remain in force until 22 March 2022:

- Bottle shops are not permitted to open for trade before 11am;
- Customers can only purchase ONE of the following items per transaction:
  - One 2L cask wine (any casks over 2L cannot be purchased) OR
  - One bottle of fortified wine/port.
- Liquor cannot be sold to any person who attends a bottle shop drive through in a taxi, including the taxi driver.
- The above restrictions limiting the volumes of cask wine and fortified wine/port do not apply to the following persons: Managers and Supervisors of station properties; Managers and Supervisors of companies operating mining ventures; other licensees.

On Thursday 10 March 2022, the Commissioner met (separately) with the following agencies in Port Augusta:

- Stepping Stones Day Centre
- Port Augusta District Council representatives
- South Australia Ambulance Service (SAAS)
- Port Augusta Hospital Emergency Department Doctors and Nursing Unit
- Sobering Up Unit
- Des's Taxi Service

The feedback from help services and medical staff indicated that the restrictions had been effective in reducing alcohol related harm and presentations of alcohol-related injuries. The restrictions had also been effective in enabling help services to engage with clients earlier in the morning to provide counselling, medical assessments and other referral services. The feedback indicated that while there were still high levels of anti-social behaviour in Port Augusta, the acute harm related issues previously encountered in the sobering up unit, the day centre and the ambulance and hospital services had reduced significantly.

As a result of the feedback received, the Commissioner extended the conditions but varied the condition in relation to taxis to permit persons to purchase liquor from a taxi while in the browsing lane, provided they exit the taxi to make a purchase.

The purpose of the extension was to allow further time for consultation, feedback and data analysis before determining whether restrictions should be imposed on an ongoing basis.

## Current restrictions

Since 23 March 2022, the following restrictions have applied:

- Bottle shops are not permitted to open for trade before 11am;
- Customers can only purchase ONE of the following items per transaction for consumption off:
  - one 2L cask wine (any casks over 2L cannot be purchased) OR
  - one bottle of fortified wine/port.

- Liquor cannot be sold to any person seated in a taxi, including the taxi driver. Patrons may exit the taxi in the browsing lane to make a purchase, however liquor cannot be sold to a taxi driver on duty whether the taxi driver is seated in a taxi or by walk-up sales.
- The restrictions limiting the volumes of cask wine and fortified wine/port do not apply to the following persons:
  - managers and supervisors of station properties;
  - managers and supervisors of companies operating mining ventures;
  - other licensees.

The licensees affected are outlined below:

Licence Type	Licence Number	Premises Name	Premises Address
General Hotel &	57001489	Sky Tavern	4 Tassie Street PORT AUGUSTA SA 5700
General Hotel &	57002998	Pastoral Hotel Motel	17 Stirling Road PORT AUGUSTA SA 5700
General Hotel &	57004437	Western Hotel	10 Loudon Road PORT AUGUSTA WEST SA 5700
Packaged Liquor Sales	57700708	Liquorland	Shop 21 5 Commercial Road PORT AUGUSTA SA 5700

## Consultation

The Commissioner conducted extensive consultation both in person and by written invitation with the following persons/entities:

Antakirinja Matu – Yankunytjatjara Aboriginal Corporation (AMYAC)
Anangu Pitjantjatjara Yankunytjatjara (APY) Lands Executive
Davenport Community Council Inc
Des's Taxi Service
Footsteps Road to Recovery
Liquor Licensees (bottle shops affected)
Mobile Assistance Patrol Service
Ngaanyatjarra Group
Oak Valley (Maralinga) Aboriginal Corporation
Pika Wiya Health Service
Port Augusta District Council
Port Augusta Hospital and Regional Health Service
Port Augusta Inter Agency Network
Sobering Up Unit
South Australia Police
South Australia Ambulance Service (SAAS)
Stepping Stones Drug and Alcohol Day Centre
Tjuntjuntjara Community

The Commissioner acknowledges the contribution and efforts of those who provided data and/or submissions in this review and recognises that those who declined to provide a

submission were unable to due to timing and resources, or because they felt they had no relevant input to the issues.

Below is a summary of data and submissions received by the Commissioner.

## South Australia Police (SAPol) Submission

SAPol provided a submission outlining the impact of the restrictions and recommendations:

Each year between December and February Port Augusta experiences an influx of Aboriginal visitors from the Northern Territory, Anangu Pitjantjatjara Yankunytjatjara Lands (APY) and the Yalata Maralinga Tjarutja Lands (MT) which inherently brings within it an increase in alcohol related offending and anti-social behaviour.

In recent years this migration has increased as the restrictions on the purchase and access to alcohol have themselves increased in other areas, regions and jurisdictions.

The period of late 2020 and early 2021 was additionally impacted with the increase to household incomes provided via Federal "Jobseeker" payments which drove an increase in the quantity of alcohol purchased and consumed.

2021/22 was impacted by the implementation of return to country restrictions imposed by both the MT and APY Lands Councils which were also exacerbated by the January 2022 floods which saw the regional road network restricted severing the ability for community members to return to country thus creating a staging point at Port Augusta for those intent on travelling north or west within the State.

Dates of note include:

- **Midday 8<sup>th</sup> February 2022** temporary changes were introduced on take-away liquor outlets in Port Augusta. Changes included:

*Bottle shops not permitted to open for trade before 11am*

*Customers can only purchase one of the following items per person, per day:*

- *One bottle of spirits or*
- *One two litre cask wine or*
- *One bottle of fortified wine / port*

*Photo identification must be shown when purchasing any of these items and details recorded.*

*Liquor cannot be sold to any person who attends a bottle shop drive through in a taxi – including the taxi driver.*

- **Midnight 22<sup>nd</sup> February 2022** the restrictions on takeaway liquor was extended for a period of four weeks with amendments. The restrictions from this date forward included:

*Bottle shops not permitted to open for trade before 11am*

*Customers can only purchase one of the following items per transaction:*

- *One two litre cask wine or*
- *One bottle of fortified wine / port*

*Liquor cannot be sold to any person who attends a bottle shop drive through in a taxi – including the taxi driver.*

- **March 15, 17, 22 and 24, 2022** return to country buses operate between Port Augusta and the APY Lands.
- **March 23<sup>rd</sup> 2022** temporary restrictions on take-away liquor sales extended for a further three months.

## Overview

The impact of the initial liquor licensing restrictions within Port Augusta was immediate with reduction of anti-social behaviour however within a short period of time there was an evolution in purchasing habits whereby patrons were selecting unrestricted alcohol types and / or attending multiple venues on the same date to source quantities that they required.

There was an initial spike in assault offences with the removal of the requirement to produce identification, record sales, and the change in purchasing limits from one restricted item per person per day to one restricted item per transaction.

Additionally, there was a decline in the percentage of reported assaults where one or both parties were affected by alcohol at the time of the offence. The percentage of reported assaults occurring in public spaces remained about the same; the percentage of reported assaults in dwellings declined once restrictions were introduced. The percentage of assaults recorded as domestic abuse did not change.

## Recommendations

The requirement to produce identification to purchase restricted items should be re-introduced to enable SAPOL to monitor and address multiple purchases and any breaches.

The re-introduction of this requirement should be supported by the electronic recording of restricted item sales.

The electronic recording of sales should be interactive with SAPOL records in respect to persons who are barred on welfare or misconduct grounds.

Port Augusta Police should endeavour to increase the use of Welfare Barring Orders where the criteria are met and in particular where there is a history of domestic abuse.

## Data Assessment

The effectiveness of the liquor licensing changes was immediate with reduction of anti-social behaviour however within a relatively short period of time there was a change in purchasing habits by selecting unrestricted alcohol types and / or attendance at multiple venues on the same date.

There was an immediate drop in reported assault offences at the commencement of the changes before increasing again as time passed. Observations on purchasing habits showed people soon learnt the restrictions did not apply across all alcohol types and chose non-restricted items as an alternative.

The rate of domestic abuse (DA) was considered. At the commencement of the changes the rate of reported domestic abuse for assaults was around 60%. At the initial nine day review it was 54% and at day 13, 56% of the total reported assault count was recorded as domestic abuse.

The location type for assaults was reviewed. There was little change in the rate of reported assaults occurring in public spaces across the review periods; there was a decline in reported assaults occurring in dwellings once restrictions were introduced.

Data indicating whether the victim and / or the perpetrator were affected by alcohol at the time of the offence was divided into dates preceding and post alcohol restrictions. Since the introduction of the temporary restrictions there has been a decline in reported assault offences involving intoxicated persons of around 3%.

The overall percentage of police calls for assistance to respond to disturbances, domestic disturbances and intoxicated persons declined over time. There was an obvious decline at the initial introduction of the restrictions and a further decline coinciding with the Return to Country passenger bus service. Whilst there were three weeks showing an increase, overall there is a slight downward trend.

### **Public Intoxication Act - Safekeeping Occurrences**

Public Intoxication Act safekeeping events declined on the initial introduction of temporary restrictions before rising about a fortnight later as seen with assault offences. PIA safekeeping events have not returned to levels seen in December 2021 and January 2022.

### **Dry Area Legislation Breaches**

Since 29 November 2021 Far North Police have issued 755 Expiation Notices for breaches of Dry Area Legislation – consume or possess liquor within designated area.

### **Initial Response Provided as at 21<sup>st</sup> February 2022**

There was an initial decline in reported assault offences and the number of assault offences where alcohol was a factor. During the second week, reported assault offences in Port Augusta rose as did the number of offences where alcohol was a factor.

Four liquor outlets were required to maintain records for the duration of the temporary licensing changes including BWS (Ian's Western Hotel), Liquorland, Sip N Save (Pastoral Hotel) and Liquor Legends (Sky Tavern). The following information was obtained from registers maintained by those outlets for the period 8 February 2022 – 20 February 2022 inclusive.

Over the 13 day period the highest number of purchases was 31 made by a 33 year old male of Amata. The male made multiple purchases on nine of the 13 days. The male was able to make multiple purchases from the same outlet, on the same date, on five occasions.

The second highest number of purchases over the 13 day period was 29; made by a 58 year male of Port Augusta. The male made multiple purchases on nine of the 13 days. He made two purchases at the Pastoral Hotel on the 8<sup>th</sup> of February, two purchases at the Sky Tavern on the 17<sup>th</sup> and two purchases at the Pastoral on the 19<sup>th</sup>. On the 19<sup>th</sup> of February the male made five purchases across three outlets and on the 17<sup>th</sup> made four purchases across three outlets.

The above are examples of purchases exceeding more than one transaction on a single day. Five other persons were recorded more than 13 times over the period indicating multiple purchases on any given day:

- 62 year old female from Port Augusta made 23 purchases over the 13 day period, including three purchases made on the 10<sup>th</sup>, 14<sup>th</sup> and 18<sup>th</sup> of February all from separate outlets. The female made two purchases from the same outlet on the 19<sup>th</sup> of February.
- 26 year old male of Nyapari made 19 purchases over the 13 day period including three purchases on the 14<sup>th</sup> and 18<sup>th</sup> of February with two purchases on the 18<sup>th</sup> at the same outlet. The remainder of his purchases were made at different outlets across any given date.
- 59 year old male of Lwantja made 18 purchases over the 13 day period, including three purchases on the 8<sup>th</sup>, 13<sup>th</sup> and 14<sup>th</sup> of February. Two purchases were made at the one outlet on the 8<sup>th</sup> and the remainder did not show multiple purchases on a single date at the same outlet.
- 50 year old male of Port Augusta made 16 purchases over the 13 day period, including two purchases from the one outlet on the 9<sup>th</sup> of February. Three purchases on the 16<sup>th</sup> all from separate outlets, three again on the 18<sup>th</sup> and 19<sup>th</sup> of February with two on the same day (19<sup>th</sup>) from the one outlet.
- 48 year old female of Lwantja 14 purchases over the 13 day period, including three purchases on the 14<sup>th</sup> of February, two purchases on the 8<sup>th</sup>, 10<sup>th</sup> and 16<sup>th</sup> of February. Purchases were made across multiple outlets on those dates.

Observations of the registers maintained by the outlets included:

- 51 year old male of Port Augusta subject to a welfare Barring Order appears on a register on the 12<sup>th</sup> and 16<sup>th</sup> of February as purchasing vodka and tawny port. The same male was observed to purchase a carton of beer from a different outlet by an off-duty SAPol member at about 1.35 pm on the 15<sup>th</sup> of February.
- People are able to make more than one purchase from an outlet on a given day. This indicates records are being maintained but not checked against previous sales for the same date.

The following comments relate to observations made by local SAPol members.

- Information has been received people from Port Augusta are travelling to Whyalla and Port Pirie to purchase alcohol. Travel is by taxi and by private vehicle.
- Whyalla Police noted an increase in theft of liquor from Whyalla outlets however this is yet to be examined further as to the level of increase. Two reports from Whyalla state the suspects had not previously been seen in store by staff and they believed they were from out of town.
- Neither of the assertions could be validated.

## Sobering Up Unit

The Sobering Up Unit (SUU) is a facility for vulnerable people within the community to attend to sober up in a specialist care environment and operates 24 hours a day, 7 days a week. Clients may attend either through self-admission, Mobile Assistance Patrol service or police referral under the *Public Intoxication Act 1984*. A client's blood alcohol concentration level (BAC) is recoded on arrival.

The Commissioner requested data from the Sobering Up Unit (SUU) in relation to admissions for the period 1 July 2021 to 30 June 2022. As shown in the table below, the data provided indicated a noticeable reduction in total admissions to the SUU for February 2022 when the

restrictions were first introduced. There was also a dramatic reduction in clients attending with blood alcohol concentration levels of 0.25 and above when the restrictions were introduced, which has remained consistently lower even as the restrictions were varied but extended.

Month (21-22)	Total admissions	BAC 0.25+
JULY	134	28
AUGUST	158	47
SEPTEMBER	211	60
OCTOBER	197	51
NOVEMBER	118	26
DECEMBER	131	43
JANUARY	109	28
FEBRUARY	88	4
MARCH	131	15
APRIL	125	18
MAY	190	Not recorded
JUNE	196	14

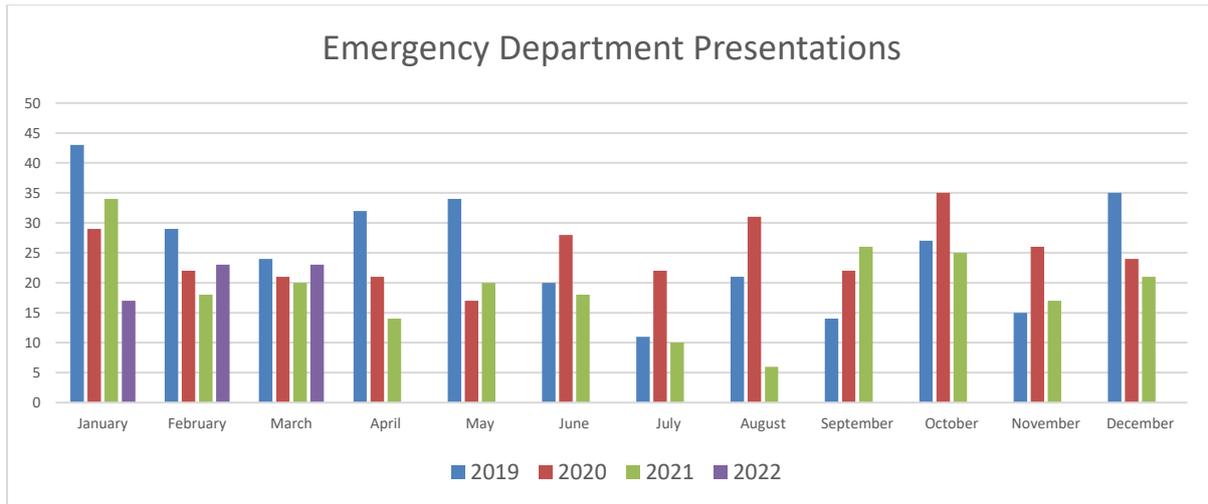
## Port Augusta Hospital and Regional Health Service

The Commissioner requested data from the Port Augusta Hospital and Regional Health Service of alcohol related presentations at the emergency department (ED) of the Port Augusta Hospital from 1 January 2019 to 31 March 2022.

Due to reporting practices, the Hospital was unable to isolate alcohol-related presentations from drug and alcohol related admissions to the emergency department. On review of the data, it is clear that not all admissions reported relate to alcohol consumption, with many of the notes on presentations appearing to indicate that the presentation was either drug or alcohol related, purely drug related or, in rare cases, neither. Nonetheless, the report is useful as a guide and indicator of trends over the reporting period.

From the table below, it can be seen that there is a higher number of presentations in the summer months than in the winter months. It should also be noted that the average monthly number of presentations is consistent across the reporting period.

Emergency Department Presentations	January	February	March	April	May	June	July	August	September	October	November	December	TOTAL	AVERAGE
2019	43	29	24	32	34	20	11	21	14	27	15	35	305	25
2020	29	22	21	21	17	28	22	31	22	35	26	24	298	25
2021	34	18	20	14	20	18	10	6	26	25	17	21	229	19
2022	17	23	23										63	21



The hospital data does not show a decline in drug and alcohol related admissions to the emergency department however as noted above, the alcohol related admissions cannot be isolated and as such, the data is of limited assistance.

Two weeks after the restrictions were first introduced, the Emergency Department noted the following observations from reviewing the patient register:

- *1 x Acute intoxication for the fortnight, marked drop usually 2 to 3 per day*
- *Lacerations, blunt trauma, contusions were down considerably*
- *1 x Alcohol induced seizure for the fortnight, down from usual numbers.*

The Emergency Doctors had noticed:

- *A marked drop in intoxicated patients visiting the department requiring sobering up and assessment.*
- *Lacerations, blunt trauma, contusions down considerably*
- *Abusive intoxicated patients presenting via SAAS a huge marked reduction*
- *The general comments were that they have seen a marked drop off of Alcohol related conditions and injuries.*

## Submission of Dr Phi Nguyen

On 6 June 2022, Dr Phi Nguyen, Emergency Medicine Senior Medical Officer at the Port Augusta Accident and Emergency Department provided a submission to the Commissioner regarding the imposition of alcohol restrictions in Port Augusta. Dr Nguyen's role involves the assessment and management of all patients who present to the emergency department during his shift and supervising and consulting with junior doctors and nurses. Dr Nguyen states:

*It was typical in a ten-hour shift to see at least one and up to three alcohol-related presentations. Because of the level of care required to manage them and the frequent abuse one would receive in attempting to do so, it has also been a significant deterrent to other doctors to work in the region and especially our wards and emergency department.*

*I have primarily worked the morning shifts during my time at Port Augusta Hospital and generally when I present to work there would be at least one and sometimes multiple*

*intoxicated patients in the department. These patients generally presented dangerously intoxicated the evening or night prior and required high level management by the afternoon (oftentimes myself) or night staff. They required an overnight stay either because they needed chemical sedation for aggressive behaviours or they were simply too intoxicated for formal review and safe discharge. Hence, they need to be admitted until sober and alert for another formal review and management before discharge.*

*At the time, I was not aware of any alcohol restrictions being put in place in early February 2022. What I did notice was a change in presentations that I was coming into work to see initially and during the shift. I noticed there was a sudden reduction in alcohol-related presentations and for this reason I voiced to nursing staff that there's been a significant reduction in such cases and I wondered what had happened. The nurse unit manager was present at the time and advised me of the new alcohol restrictions. Whilst this was very surprising to me, I immediately felt even then that it was something needed in the region given the substantial negative impacts alcohol has caused until that time and continues to cause.*

*I think overall it has made the emergency department a more safe and fulfilling place to work for all-level staff. No hospital staff members deserve abuse or endangerment by the members of public that they are trying to help. I think the alcohol restrictions has played a significant role in reducing these incidents. Despite the restrictions, our workload has continued to rapidly increase to barely manageable levels due to the declining primary care availability in Port Augusta. If the restrictions were lifted and the amount of alcohol-related presentations recurred, I think the emergency department would struggle to cope. Just recently (during the restrictions), we have managed to get new visiting doctors to come to our department to work. They have found it to be a very busy department but overall a good experience with some choosing to return regularly, at least in the short term. Alcohol and illicit drug problems have been a major deterrent in the past for doctors to work in the region and being able to manage at least one of those issues will only serve to help the doctor shortage crisis in our regional areas.*

## South Australia Ambulance Service

The South Australian Ambulance Service (SAAS) provided the Commissioner with data in relation to alcohol related cases and assault related cases (involving alcohol) for the period 1 January 2021 to 31 May 2022.

A Patient Care Record (case) is generated for every Ambulance dispatch to a case, whether or not they see, treat or transport a patient. SAAS reported a reduction of drug/alcohol related cases post the restrictions being implemented, even allowing for some natural drop-off in the cooler months in comparison to 2021.

Alcohol related cases reduced by 50% in Port Augusta in February 2022 in comparison to February 2021, coinciding with the introduction of the restrictions but then increased in March 2022, notably at the time the restrictions on recording transactions per person per day were eased. Assault related cases involving alcohol reduced by 33% in February 2022 in comparison to February 2021 and then increased in March 2022, however April and May 2022 saw a 66% and 53% reduction respectively.

## Stepping Stones Drug and Alcohol Day Centre

Stepping Stones Drug & Alcohol Day Centre (the Centre) in Port Augusta offers free, confidential treatment, counselling and referral services for individuals and families concerned about alcohol, tobacco and other drug issues. The Centre also offers many other services, including working with the Mobile Assistance Patrol (MAP service) and Sobering Up Unit and providing daily support services such as shower and laundry facilities and light breakfast and lunch.

The Centre provided a submission to the Commissioner on 16 February 2022 as to the immediate impact of the restrictions imposed on 8 February 2022:

### **Have the restrictions been able to assist you to better deliver the services that the Day Centre provides and if so, how?**

*Hugely, we were having problems with clients sitting on the footpath out the front of the building, across the road (in various places) we had people sitting in groups intoxicated and openly drinking, we had multiple altercations, both physical and verbal between intoxicated clients and others that had had disagreements during the night or the previous day, we had clients that were walking around openly drinking. The neighbours were frequently coming to me with complaints. We had multiple need for SAPOL and duress alarm activations.*

*We have a practice of performing a BAC on clients that are intoxicated and if they are over the limit, we withhold food as it is a danger if the client passed out and vomits whilst asleep, this can prove detrimental to their health even causing death. We have had many, (to many to count) incidents of racist remarks, threats of violence, damage to property when a client is angry and attempted assaults aimed to staff.*

*We have many victims of assault that come to us for help. In the last week we have seen one victim only. A lot of the clients needed medical attention left the Centre not wanting to wait until the medical centres open or the staff to be free to take them to the hospital left the Centre because the lure of the prospect was too great to go off and join the friends drinking. This usually meant an exacerbation of the problems or infection to injuries. The majority do not have ambulance cover and the clients usually decline this assistance unless they are very sick. With only five staff to cope with all this it is extremely stressful.*

### **Would you want the restrictions to continue, and if so, why?**

*Being a Drug and Alcohol facility, it is our aim to assist people to reduce their dependence on alcohol and other drugs and we, in the last week have seen a marked decrease in this and it is proving to be very beneficial. The clients will certainly benefit, and I believe there is no need for alcohol sales to be available to anyone at such an early part of the day.*

*Having worked in Ceduna I have seen the benefits of providing ID to purchase any alcohol and I would like to see the same here in Port Augusta. The technology needed to start this would be a little expensive but in the long run the cost of a person's life or wellbeing is far greater. The infrastructure is already in use and copying this would be simple. The items listed for restriction should be for all alcohol purchases not just the 3 noted.*

*The last week has been the best I have seen it over the last 5 years that I have been employed by the Aboriginal Drug and Alcohol Council SA and believe me when I say we have endured a lot.*

The Centre indicated that prior to the imposition of restrictions, the Centre would see a daily average of between 40 to 60 persons at breakfast and between 20 to 40 persons at lunch, of which approximately 30% would be intoxicated. Following the imposition of alcohol restrictions, the number of clients and intoxicated presentations decreased (also attributable to clients returning to country), and there was a week where there were only two presentations of intoxicated clients. In a further submission dated 10 May 2022, the Centre indicated that the number of intoxicated presentations had remained low but had increased slightly following the easing of the restrictions to per transaction rather than per person, and removing spirits as a restricted category.

## Aboriginal Communities

As part of the review of liquor licence restrictions in Port Augusta, the Commissioner also consulted with the following communities/corporations in relation to whether conditions should be imposed on bottle shops in Port Augusta prohibiting takeaway sales to persons residing in prescribed lands<sup>1</sup>:

- Antakirinja Matu – Yankunytjatjara Aboriginal Corporation (AMYAC)
- Anangu Pitjantjatjara Yankunytjatjara lands (APY Lands)
- Oak Valley (Maralinga) Aboriginal Corporation
- Ngaanyatjarra Group
- Tjuntjuntjara
- Yalata Anangu Aboriginal Corporation.

Since 2013, conditions have been in place for bottle shops in Ceduna and Coober Pedy that prohibit the sale of liquor to persons residing in prescribed lands. These conditions were originally imposed in 2013 to reduce the extreme risks to the safety of members of the Aboriginal communities in the wider region surrounding Coober Pedy caused by alcohol consumption to a dangerous level, violence, accidents and abuse and neglect of children. The conditions were originally imposed following consultation and submissions received from the Board of Directors of AMYAC, the Umoona Tjutagku Health Service Aboriginal Corporation, Umoona Aged Care Corporation and SAPOL.

In October 2021, the Commissioner met with members of APY Lands Executive at Marla to discuss liquor and gambling issues generally. During that meeting, members of APY Lands Executive queried why the prohibition of takeaway sales to persons residing in prescribed lands could not be extended further than Ceduna and Coober Pedy given residents of those communities travel to townships such as Port Augusta, particularly in Summer months. APY

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<sup>1</sup> **Prescribed lands** for the purposes of licence conditions prohibiting takeaway sales includes the communities of Maralinga Tjarutja / Oak Valley, Yalata, Umoona, Anangu Pitjantjara Yankunytjatjara Lands, Northern Territory communities of Docker River/Kaltukutjara, Imanpa/Mt Ebenezer, Hermannsburg/Ntarja, Maryvale/Tijikala, Santa Teresa/Ltyentye Apurte and Finke/Aputula, Western Australia communities Ngaanyatjarra Lands and Tjuntjuntjara.

Lands Executive members commented that without any restrictions in place beyond Coober Pedy and Ceduna, there were concerns that community residents were incentivised to leave their communities and be exposed to dangerous levels of alcohol consumption that would not otherwise be permitted in their region.

By letter dated 8 June 2022, the APY Executive indicated their support for conditions similar to those already in force in Coober Pedy and Ceduna prohibiting takeaway sales of liquor to persons residing in prescribed lands to be imposed in Port Augusta.

Yalata Anangu Aboriginal Corporation were also in support of the proposed condition. No other submissions were received.

## Licensees

Feedback was sought from the affected licensees prior to the extension and variation of the conditions. The insights, input and cooperation of the licensees over the last few months has been invaluable and is greatly appreciated.

The Commissioner met with the bottle shop managers and staff in Port Augusta for an informal discussion on 29 June 2022. They provided general feedback that the change in opening times to 11am was initially met with frustration by customers and tourists, resulting in loss of business revenue, however customers appear to have adjusted and business revenue has reverted to pre-restrictions levels. Bottle shop staff also provided positive feedback in relation to the variation to condition in relation to taxis being permitted to use the browsing lane, as staff can observe who is seated in the taxi and who is purchasing the alcohol and whether they are intoxicated.

The overall feedback was the need for technological support to comply with restrictions if they were to be imposed on an ongoing basis with daily limits for restricted items, and an appropriate lead-in time and signage to notify customers of any changes before they are introduced. Licensees also noted that based on their observations and anecdotal feedback, the restrictions have resulted in a displacement effect of persons travelling to Whyalla and Port Pirie to purchase takeaway alcohol, particularly cask wine. Accordingly, if restrictions are to be continued in Port Augusta, it would be appropriate to impose consistent conditions on bottle shops in the broader region.

**Report date:** 4 August 2022



Zoe Thomas  
**Assistant Director, Licensing**