

House of Representatives

Supplementary Order Paper

Thursday, 23 August 2012

Alcohol Reform Bill

Proposed amendments

Louisa Wall, in Committee, to move the following amendments:

Clause 35

Replace *clause 35(2)* (line 6 on page 46), with:

- (2) **Sections 38 and 38A** override **subsection (1)**.

Clause 36

In *clause 36(2)*, replace “**section 38**” (line 26 on page 47), with “**sections 38 and 38A**”.

Clause 37

In *clause 37(2)*, replace “**section 38**” (line 5 on page 48), with “**sections 38 and 38A**”.

New clause 38A

After *clause 38* (after line 9 on page 49), insert:

38A Issue of off-licences for premises within 1 kilometre of early childhood centres or schools generally prohibited

- (1) The licensing authority or licensing committee concerned must not direct that an off-licence should be issued for any premises that are within a radius of 1 kilometre from any 1 or more of the following:
- (a) an early childhood centre:
 - (b) a primary school:
 - (c) an intermediate school:
 - (d) a secondary school.
- (2) The prohibition in **subsection (1)** does not apply—
- (a) in the case of a supermarket with a floor area of at least 1000 square metres; or

- (b) to the extent that the local alcohol policy in force in the area where the premises concerned are located provides otherwise.
- (3) In this section,—
- early childhood centre** means a licensed early childhood education and care centre within the meaning of section 309 of the Education Act 1989
- intermediate school, primary school, and secondary school** have the same meanings as in section 145(1) of the Education Act 1989.
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Explanatory note

This Supplementary Order Paper amends the Alcohol Reform Bill to ensure that off-licence premises cannot be located within a 1 kilometre radius of an early childhood centre, or a primary, intermediate or secondary school. This distance will mean that children walking to school will not have to pass off-licence premises and be exposed to behaviour that can arise from such establishments. It will create a buffer zone that will protect those attending existing educational establishments.

Supermarkets are excluded from this restriction because the provisions in the Bill require supermarkets to meet criteria that ensure the effect on children of sale of alcohol is minimised.

This restriction is predominantly directed at suburban areas where children pass off-licence premises on their way to and from school. An exclusion is provided in areas where a local alcohol policy provides for off-licence premises that may otherwise be within the buffer zone area as the local community will have had input into such a plan. This will mean that rural locations that may have only 1 store close to a relevant educational establishment will not be subject to the restriction if the local community chooses otherwise through the local alcohol plan. It will also allow people in areas that are not suburban in nature, such as those that are described as central business district or CBD, to provide for an exemption through the local alcohol policy process.
