

From: Hutchins, Greg (SAPOL)
Sent: Wednesday, 20 July 2022 4:02 PM
To: Fellows, Linda (SAPOL); Goodwin, Graham (SAPOL)
Subject: FW: Adelaide Oval - service in cans [ME-ME.FID6836089]
Attachments: Letter to Commissioner - variation to application (20.07.22).PDF

AC / Ch. Supt

Updated letter attached, in discussion with Minter Ellison they have added the last three lines of 14 B and added 14 E

CBP to follow

Chief Inspector Greg Hutchins APM
Officer in Charge
Licensing Enforcement Branch
Roma Mitchell House
L1, 136 North Terrace
ADELAIDE SA 5000
T 08 218 2601

⁶⁽¹⁾ [Redacted]

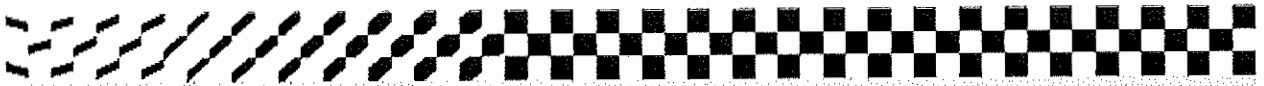
E greg.hutchins@police.sa.gov.au

W www.police.sa.gov.au



SOUTH AUSTRALIA POLICE
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Service Integrity Leadership Collaboration Courage Respect



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From: ⁶⁽¹⁾ [Redacted] <[Redacted]@minterellison.com>
Sent: Wednesday, 20 July 2022 3:57 PM
To: Hutchins, Greg (SAPOL) <Greg.Hutchins@police.sa.gov.au>
Cc: Nairn, Matthew (SAPOL) <Matthew.Nairn@police.sa.gov.au> ⁶⁽¹⁾ [Redacted]
⁶⁽¹⁾ [Redacted] <[Redacted]@adelaideoval.com.au>
Subject: [EXTERNAL] RE: Adelaide Oval - service in cans [ME-ME.FID6836089]

Hello Greg

Thank you for discussing this morning.

Please see attached amended letter which I understand reflects our discussion. All amendments are limited to paragraph 14 b) and e).

If you could let me know at your earliest convenience whether SAPOL agrees to the letter being signed and provided to the Commissioner in advance of next week's hearing, that would be much appreciated.

Happy of course to discuss further.

Kind regards

6(1)

Partner

T +61 8 8233 5652 6(1)

6(1) @minterellison.com

MinterEllison 25 Grenfell Street Adelaide SA 5000
minterellison.com Follow us on **LinkedIn** and **Twitter**

From: Hutchins, Greg (SAPOL) <Greg.Hutchins@police.sa.gov.au>

Sent: Wednesday 20 July 2022 08:51 AM

To: 6(1) @minterellison.com>

Subject: RE: Adelaide Oval - service in cans [ME-ME.FID6836089]

Hi 6(1)

Looks good, can you give me a buzz to discuss a couple of minor things

I'm in meetings 0900 to 0930 ish, 1100 – 1230 and 1400 - 1500

Chief Inspector Greg Hutchins APM

Officer in Charge

Licensing Enforcement Branch

Roma Mitchell House

L1, 136 North Terrace

ADELAIDE SA 5000

T 08 218 2601

6(1)

E greg.hutchins@police.sa.gov.au

W www.police.sa.gov.au



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From: 6(1) @minterellison.com>

Sent: Tuesday, 19 July 2022 8:25 PM

To: Hutchins, Greg (SAPOL) <Greg.Hutchins@police.sa.gov.au>; Nairn, Matthew (SAPOL) <Matthew.Nairn@police.sa.gov.au>

Cc: 6(1) @adelaideoval.com.au>

Subject: [EXTERNAL] Adelaide Oval - service in cans [ME-ME.FID6836089]

Hello Greg and Matthew

Thank you for meeting with ⁶⁽¹⁾ [redacted] and me on Monday afternoon.

Please see attached draft letter to the Commissioner. I understand the letter reflects the matters discussed at our meeting.

As discussed, we propose to sign and send the letter to the Commissioner in advance of the hearing listed for next Tuesday. Please let me know at your earliest convenience if you agree to the letter being provided.

Of course, please don't hesitate to contact me if you wish to discuss.

Kind regards

⁶⁽¹⁾ [redacted]
Partner
T +61 8 8233 5652 ⁶⁽¹⁾ [redacted]
⁶⁽¹⁾ [redacted]@minterellison.com
MinterEllison 25 Grenfell Street Adelaide SA 5000
minterellison.com Follow us on **LinkedIn** and **Twitter**

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MinterEllison

20 July 2022

By Email: Liquor and Gaming Commissioner
liquorandgaming@sa.gov.au

Liquor and Gaming Commissioner
Consumer and Business Services
95 Grenfell Street
ADELAIDE SA 5000

Dear Commissioner

Adelaide Oval – Variation to Application

1. We refer to the application seeking a variation of Liquor Licence 57102633 to facilitate service of alcohol in cans (**Application**) lodged on behalf of Adelaide Oval SMA Limited (**AOSMA**), the recent intervention lodged by SAPOL and submissions lodged on behalf of AOSMA in response.
2. The Application seeks to vary the existing condition on the Licence so that it reads:

'Liquor shall only be sold or supplied in plastic cups or aluminium cans, except in corporate areas, except in corporate facilities, dining rooms, or at functions and receptions.'
3. The Application is listed for hearing on Tuesday, 26 July 2022.
4. On 18 July 2022, representatives of both AOSMA and SAPOL met to discuss the Application.
5. AOSMA now seeks to vary the Application in the terms set out below. We understand the variation is suitable to SAPOL, and resolves the outstanding concerns raised by SAPOL in its intervention. AOSMA requests that the Commissioner grant the Application as varied below.

Review Period

6. The Application suggested a review be conducted following six months of operation.
7. AOSMA and SAPOL have agreed that this initial review period should be **extended to 12 months**.

Commitments

8. SAPOL's Intervention raised concerns in relation to the possibility of danger to personal safety of the public, in the event of cans being thrown in the public areas and playing arena.
9. To satisfactorily address this concern, AOSMA has made various commitments that will apply during the extended 12 month review period. AOSMA is comfortable with these commitments forming part of any advisory or guidance note within the Order or Decision Notification. These commitments are outlined below:

Stadium announcements

10. 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.
11. 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.

Patron ban from attendance at Adelaide Oval

12. 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.

Daily review – Major events

13. AOSMA will commit to engaging in a review and debrief with SAPOL at the completion of each day of any major events held at Adelaide Oval. AOSMA and SAPOL will work together to determine which events require this debrief.

Additional Information

14. We also wish to provide the Commissioner with some additional information for context of the Application (which information has also been conveyed to SAPOL), as follows.
 - a. Container Collection: AOSMA employs staff dedicated to rapid collection of empty drink containers at Adelaide Oval, particularly in respect to 'The Hill'. AOSMA intends to ensure this collection continues to minimise cans being deposited on the ground.
 - b. Plastic Cups: AOSMA has no intention to cease service of alcohol in cups (in some form, and provided cups can be sourced that continue to comply with Government regulations regarding the phasing out of single use plastics). Given AOSMA's practices regarding alcohol dispensed via tap utilise extensive, high-cost and well-ingrained reticulation infrastructure systems, and for commercial reasons, this practice is intended to continue. Service of alcohol in cans represents only one service option which AOSMA seek to utilise. This approach also allows AOSMA to revert to serving alcohol exclusively within cups should service in cans not be utilised for a particular event, or a decision be made to cease service in cans during an event for any reason.
 - c. Mid-Strength Beer: AOSMA currently supplies only mid-strength beer to patrons at The Hill. This practice is intended to continue, whether the alcohol is served in cups or served in cans.
 - d. Media: AOSMA and SAPOL will liaise with respect to a joint media communication and announcement regarding the Application (if approved).
 - e. Responsible Service: AOSMA will continue to be proactive in regards to its responsible service of alcohol obligations. AOSMA's alcohol management plan for Adelaide Oval currently contains a response mechanism for AOSMA to determine to reduce service of alcohol in a '4 – 2 – 0' manner (i.e. reducing maximum alcohol sales per transaction to two beverages, and then to zero beverages, as appropriate). This mechanism can be implemented by AOSMA at any time, including with respect to service of alcohol in cans.

15. We trust these matters assist in your assessment of the Application.
16. We also reiterate that no submission has been received from either the public or Adelaide City Council in respect to the Application. With SAPOL's concerns now addressed, the Application is unopposed.
17. Please do not hesitate to contact the writer should you have any queries or wish to discuss. We will otherwise attend the hearing scheduled for 26 July 2022.

Yours faithfully
MinterEllison

⁶⁽¹⁾
Partner

Contact: ⁶⁽¹⁾ T: +61 8233 5652
⁶⁽¹⁾ @minterellison.com
OUR REF: 1397988

Copy: sapol.licensingprosecution@police.sa.gov.au