

2005

LEGISLATIVE ASSEMBLY FOR THE AUSTRALIAN CAPITAL TERRITORY

LIQUOR AMENDMENT REGULATION 2005 (No 1)

SUBORDINATE LAW SL2005-36

EXPLANATORY STATEMENT

Circulated by authority of the
Attorney General
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Overview

Sub-section 139(2) of the Liquor Act 1975 provides that it is unlawful to possess an open container of liquor in a 'prescribed public place'. Sub-section 139(2) provides that the regulations may prescribe a public place.

The purpose of the Liquor Amendment Regulation 2005 (No 1) is to prescribe a public place in Woden known as 'Hidden park' and to prescribe relevant public places around the locality of the Summernats motor show for the period from noon 4 January 2006 to noon 9 January 2006.

The government was approached by a number of community groups and a business in Woden for the declaration of a 'dry area' of parkland located between Melrose Drive and Corinna Street, Block 18 Section 12, Phillip.

The identified area is known as 'Hidden Park' and is located between the rear of the Woden Senior Citizens Club and a child minding facility and is an area that leads to the only underpass that goes from Woden Plaza to Lyons. The representation for the declaration of the area came from the Woden Valley Community Council and was supported by the Woden Community Services, Woden Senior Citizens Club Inc and Retireinvest. The Australian Federal Police also supported the declaration.

The submissions highlighted threatening conduct arising from the consumption of liquor in the park, the littering of the park by broken alcohol containers, and vandalism and graffiti arising from the use of the park by those who are congregating in it to consume liquor.

This amendments will allow the Australian Federal Police and the Office of Fair Trading to enforce these 'dry areas' in the Territory.

Regulation

Regulation 1 & 2 – Name of regulations and commencement

Regulations 1 & 2 are formal requirements of all regulations, specifying the title of the Regulation and commencement date.

Regulation 3 – Regulation amended

This Regulation provides that the Regulation amends the *Liquor Regulation 1979*.

Regulation 4 – Substitutes regulation 11(a)

This Regulation substitutes a new regulation 11(a) to correctly describe a dry area previously intended to be prescribed in 1993 at block 7 section 13 in the City Division, this is commonly known as the Magistrates Court car park.

Regulation 5 – Substitutes regulation 11A(e) (f)

Substitutes a new regulation 11A(e) to add a semi-colon and (f) to add block 18 of section 12 in the division of Phillip being the area known as ‘Hidden Park’.

Regulation 6 – Inserts new regulation 12A

Inserts new regulation 12A which provides that certain public areas are prescribed as ‘dry areas’ for the period noon 4 January 2006 to noon 9 January 2006 for the Summernats 2006 event. The areas prescribed include any unleased land adjoining any of the following places: The Federal Highway; Antill Street to the Australian Heritage Village; Northbourne Avenue between the intersections of Macarthur Avenue and Wakefield Avenue; Flemington Road between the intersections of Northbourne Avenue and Randwick Road; Stirling Avenue between the intersections of Northbourne Avenue and Aspinall Street; Aspinall Street; Phillip Avenue between the intersections of Northbourne Avenue and Innes Street; Wells Road Station Road, Block 467 Gungahlin.