



Council Policy 5.1.1 – Alcohol Management Consumption of Alcohol in/on Shire owned Facilities and reserves

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| Responsible Directorate | <u>Community Services</u> |
| Responsible Business Unit/s | <u>Sport and Recreation</u> |
| Responsible Officer | <u>Manager Community Activation</u> |
| Affected Business Units | <u>Environmental Health</u> <u>Community Development</u> <u>Sport and Recreation</u> <u>Governance</u> <u>Community Safety</u> |

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Objectives: People

The objectives of this Policy are to:

- Encourage the responsible consumption of alcohol in/on Shire owned or managed facilities and reserves, particularly at events held in/on those facilities and reserves.
- Outline the conditions for the provision of a Permit to Consume Alcohol in/on a Shire owned or managed facility or reserve.
- Outline the requirements to gain approval to sell alcohol in/on a Shire owned or managed facility or reserve.

Outcome: 1.3 – A safe place to live.

Strategy: 1.3.1 – Comply with relevant local and state laws, in the interests of the community.

Purpose

In acknowledgment of the social and economic cost of alcohol-related harm within the community, the Shire of Serpentine Jarrahdale encourages the responsible availability and consumption of alcohol within its district, in partnership with other external agencies and organisations.

Scope

The Scope of this Policy is to ensure responsible consumption of alcohol in/on all Shire owned and managed facilities and reserves.

This Policy does not apply to the assessment of liquor license applications relating to non-Shire owned and/ or managed facilities and reserves.

This policy does not apply to the assessment of Development Applications for outlets providing access to liquor under the relevant legislation.

The Department of Racing, Gaming and Liquor is responsible for the provision of a liquor license. It is the responsibility of the person hiring the Shire facility to ascertain if they require a liquor license. A Shire Permit to Consume Alcohol does not replace the requirement to obtain a liquor license where that requirement exists.

Definitions



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~~Not applicable~~

Policy

Details

~~The Shire will encourage the responsible availability and consumption of alcohol in the community by:~~

- ~~• encouraging responsible service of alcohol at Licensed Premises;~~
- ~~• promoting safe levels of alcohol consumption;~~
- ~~• supporting relevant external agencies and organisations in alcohol management;~~
- ~~• engaging with the community regarding alcohol matters;~~
- ~~• ensuring that local laws associated with alcohol are enforced; and~~
- ~~• supporting alcohol-related community education.~~

~~The Shire will not take on responsibilities undertaken by other Government departments such as Police.~~

~~It is noted that the Shire is responsible for assessing Development Applications for outlets providing access to liquor on the basis of planning grounds under the relevant legislation. The final decision on the provision of a Liquor Licence rests with the Department of Racing, Gaming and Liquor.~~

Introduction

~~The Shire recognises the social and economic cost of alcohol-related harm within the community and encourages responsible and safe consumption of alcohol. The Shire also recognises that alcohol consumption is legally acceptable for assenting adults when consumed responsibly, and may play a role in hosting celebrations, activities and events.~~

~~As these are activities Shire facilities or reserves are commonly hired or utilised for, the Shire will consider requests to consume alcohol in/on Shire owned and managed facilities and reserves for such purposes.~~

~~However, such approval does not negate an individual's or organisation's legal responsibility in the provision and consumption of alcohol.~~

Consumption and/or Sale of Alcohol on Council Property

Approval Conditions:

~~With regard to approving the consumption and/or sale of alcohol on Shire owned or managed reserves and in Shire buildings, the following conditions apply:~~

Permit to Consume Alcohol

~~In order to supply and/or consume alcohol in/on a Shire owned or managed facility or reserve, an application to consume alcohol must be made to the Shire, including the payment of the required fee (as per Fees and Charges Schedule). A Permit to Consume Alcohol must then be issued by the Shire.~~

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~~Policy~~ **Council Policy 5.1.1 – Consumption of Alcohol in/on Shire owned Facilities and Reserves**

A Permit to Consume Alcohol on a Shire owned or managed facility or reserve may be issued by the Shire subject to the following conditions.

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- a) The Chief Executive Officer must be satisfied that any application or request to consume or sell alcohol will not cause undue disruption or harm to members of the community, or does not demonstrate potentially significant risk that would result in damage to a Shire owned or managed facility or reserve.
- b) If applicable, appropriate Liquor Licence(s) must be in place. Applications for a Permit to Consume Alcohol will only be considered for facilities and reserves within the following time restrictions:
 - a) Sunday, Monday, Tuesday, Wednesday, Thursday from 11am to 10pm
Friday and Saturday from 10am to 11 pm
 - b) Liquor Licence applications will be broadly supported in accordance with the following time restrictions:
 - Thursdays to 11 pm
 - Fridays and Saturdays to midnight
 - Sundays to 10 pm
- c) A wedding ceremony on a Shire reserve (not to exceed 2 hours) would be permitted.
- d) Compliance with all Shire of Serpentine Jarrahdale terms and conditions have been met of hire (including private events or functions).
- e) A community or corporate event held in/on a Shire owned or managed facility or reserve, where a Liquor Licence has been successfully obtained from the Department of Racing, Gaming and Liquor.

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Supported Events/Activities:

The circumstances in which the Chief Executive Officer should consider an event as being unlikely to cause undue disruption to the community include:

- a) The duration of a wedding ceremony in a Shire park (not to exceed 2 hours).
- b) Private events or functions held within community facilities and/or parks.
- c) A fundraising event held either on a Shire park or within a community building, where alcohol is being sold and a Liquor Licence has been successfully obtained from the Department of Racing, Gaming and Liquor.
- d) Corporate functions or events held on a Shire park or within a community building, where appropriate risk assessments have been conducted.
- e) Shire-run community events held on a Shire park, where BYO alcohol is permitted.



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Sale of Liquor on Council Properties

Any proposal to sell alcohol in/on a Shire owned or managed facility or reserve, will require the applicant to apply to the Department of Racing Gaming and Liquor for a Liquor Licence, and also to the Shire of Serpentine Jarrahdale for a Permit to Consume Alcohol.

The following conditions apply to Sale of Liquor on council Shire premises:

- a) The Shire may provide comment to the Department of Racing, Gaming and Liquor regarding an Application submitted for an Occasional Liquor Licence.

The Department may be advised of the time restrictions on permission to consume alcohol on council premises as per times outlined in Permit to Consume Alcohol section (b) above.

- b) A Liquor Licence from the Department of Racing, Gaming and Liquor must be in place and a copy supplied to the Shire a minimum of 14 days prior to the event date. A Permit to Consume Alcohol will only be issued after receipt of the liquor licence.
- c) The Chief Executive Officer must be satisfied that any application or request to sell alcohol will not cause undue disruption or harm to members of the community.

It is an offence for juveniles and drunk persons to consume, be in possession of, or be supplied alcohol at functions in public venues, as regulated by the *Liquor Control Act 1988*. Should the Shire become aware of breaches to the *Liquor Control Act 1988*, these will be reported to the Department of Racing, Gaming and Liquor. The Shire may refuse to support any further applications (by that applicant) for a Liquor Licence, or refuse to provide a Permit to Consume Liquor for future hires of Shire owned or managed facilities and reserves.

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Definitions

Permit to Consume Alcohol – A permit issued by the Shire of Serpentine Jarrahdale to supply and/or consume alcohol in/on a Shire owned or managed facility or reserve

Liquor Licence – Is a licence issued by the Department of Racing, Gaming and Liquor to sell alcohol

Relevant Policies/Council Documents

- Council Policy 5.1.4 - Facility Hire
- Council Policy 5.1.3 - Lease and Licence Management

Legislation/Local Law Requirements

- Local Government Act 1995
- Liquor Control Act 1998

References



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| <u>Office Use Only</u> | | | | |
| <u>Relevant Delegations</u> | | | | |
| <u>Council Adoption</u> | <u>Date</u> | <u>29/09/2015</u> | <u>Resolution #</u> | <u>OCM187/09/15</u> |
| <u>Reviewed/Modified</u> | <u>Date</u> | <u>18/12/2017</u> | <u>Resolution #</u> | <u>OCM179/12/17</u> |
| <u>Reviewed/Modified</u> | <u>Date</u> | | <u>Resolution #</u> | |

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| <u>Name of Policy</u> | <u>5.1.1 Alcohol Management Policy</u> |
| <u>Previous Policy</u> | <u>PC105 – Alcohol Management Policy (E15/5096)</u> |
| <u>Date of Adoption and Resolution Number</u> | <u>Adopted – OCM187/09/15 – 29/09/2015</u> |
| <u>Review dates and Resolution Numbers</u> | <u>Modified – OCM179/12/17 – 18/12/2017 – Ordinary Council Meeting</u> |
| <u>Next review date</u> | |
| <u>Related documents</u> | <p><u>Acts/Regulations</u> <u>Local Government Act 1995</u> <u>Liquor Control Act 1988</u> <u>Liquor Licensing Act 1988</u></p> <p><u>Plans/Strategies</u> <u>Nil</u></p> <p><u>Policies</u> <u>Business Operating Policy (BOP) 1.1.4 – Fitness for Work</u></p> <p><u>References</u> <u>Nil</u></p> <p><u>Delegations</u> <u>Nil</u></p> <p><u>Work Procedures</u> <u>TBD</u></p> |

Note: changes to references may be made without the need to take the Policy to Council for review.