

## Alcohol Management Policy

Policy Endorsement:	Endorsement required by Council		
Directorate	Community Services		
Responsible Officer	Manager Community Wellbeing		
Policy Type	Discretionary		
File Number:	A2403673	Version No:	3
1 <sup>st</sup> Adopted by Council	9 December 2013 Minute No.432	Last Adopted by Council:	9 April 2018 Minute No.602
Review Period:	Four (4) years	Next Review:	April 2022

### 1. Purpose

This Alcohol Management Policy provides Council with mechanisms to act on matters related to the supply and consumption of alcohol in the City of Greater Dandenong.

The Policy will guide Council decision-making and:

- Create safer environments in and around licensed premises, entertainment precincts, activity centres, open space and public places
- Minimise the potential for alcohol-related crime, anti-social behaviour, vandalism, disorderly conduct and violence in the public realm and private settings
- Improve perceptions of and levels of public safety, security, amenity and wellbeing
- Support economic vitality and provide safe, enjoyable entertainment options
- Prevent negative impacts of alcohol supply and consumption on the health and wellbeing of individuals, families and communities
- Support liquor licensees to comply with their liquor license, planning permit, Responsible Service of Alcohol (RSA) and 'good neighbour' obligations
- Assist Council to fulfill its statutory, strategic, and social planning obligations within the scope of the Local Government Act 1989, Planning and Environment Act 1987, Liquor Control Reform Act 1998 and Public Health and Wellbeing Act 2008.

### 2. Background

Local Government is a key authority that can guide planning processes to determine where licensed premises and precincts are located, and protect community health and wellbeing.

Council recognises that alcohol consumption is widely accepted as part of the Australian culture, and plays a role in celebrations, dining, entertainment, sports activities, events and functions.

Responsible supply, service and consumption of alcohol can support the vitality of a local economy, for example, by creating employment in the manufacturing, industrial, winery, brewery, hospitality, and retail and tourism sectors.

Despite these positive features, the harmful use of alcohol ranks among the top five risk factors for disease, disability and death across the world (World Health Organisation 2012).

To prevent and manage alcohol-related harm, Council aims to:

- Apply policy, harm minimisation, crime prevention and safer design principles when planning suitable locations for licensed premises and entertainment precincts
- Create safer environments by ensuring there is a considered balance between minimising alcohol-related harm in the community, City prosperity and economic vitality
- Support, contribute and work in partnership to advance advocacy, positive health and wellbeing, services and education to minimise alcohol-related harm
- Monitor global and local alcohol-related research, trends and policy.

To achieve these aims, Council will apply specifications outlined in the Liquor Control Reform Act 1998, Environment and Planning Act 1987, and Victorian Planning Provisions and:

- Assess and determine liquor license planning permit applications for the use of land to sell or provide alcohol for consumption
- Plan, develop, manage, clean and maintain safe open spaces and public places
- Pass and enforce Local Laws and work with licensed premises to protect public safety, security, amenity and wellbeing
- Support enforcement through collaboration between Victoria Police and Council's and other Authorised Officers
- Initiate compliance proceedings if planning permit conditions are not met
- Work with Victoria Police and other stakeholders to regulate trading hours, patron numbers, land use, and the mix, types and density of liquor licensed premises
- Promote and support the Greater Dandenong Liquor Accord and other alcohol harm minimisation initiatives.

## **Alcohol Impacts on Health and Community Safety**

National and State research demonstrates that:

- Across Australia, alcohol contributes to almost half of reported assaults and a third of road crashes, is Australia's second cause of drug-related death, leading to more than 5,500 deaths annually
- Perceptions of and levels of safety are negatively affected by alcohol use, contributing to anti-social behaviour and violence in public, and a significant level of family violence
- The 2016 Australian Personal Safety Survey found alcohol contributed to an average 50% of physical and sexual assaults reported by female respondents and 61% of physical assaults reported by male respondents
- Alcohol consumption during pregnancy is found to contribute to irreversible developmental disorders in infants and children
- The 2016 National Drug Strategy Survey found 17% of respondents to be at risk of life-time harm from alcohol consumption

- A 2015 VicHealth survey found 18% of Greater Dandenong respondents to be at risk of short-term harm from alcohol consumption
- Greater Dandenong's young people, drivers, pedestrians, and passengers are over-represented in alcohol-related road crashes.

## Alcohol Availability

Growing evidence highlights that when alcohol is more readily available, it can lead to an increase in alcohol-related harm in the community. Alcohol availability can be influenced by:

- **Outlet Density** – precincts with clusters of licensed premises are known to have higher crime rates and almost twice as many alcohol-related issues
- **Outlet Size** – large warehouse-type packaged liquor outlets can be eight times the size of an average 'bottle shop', and can dominate the alcohol market with their purchasing power, ability to supply large volumes of discounted alcohol and force smaller competitors out of business
- **Licensed Premises Mix and Type** – licensed premises such as hotels, nightclubs, and packaged liquor outlets are associated with an increased likelihood of violence in public places and private settings
- **Late Night Trading Hours** – licensed premises precincts open after 1am are associated with increased negative alcohol-related impacts such as assaults, vandalism and noise
- **Pricing** – a high density of licensed premises, particularly packaged liquor outlets and late night premises can generate competition and drive the price of alcohol products down, and is linked to increased alcohol consumption, especially amongst young people.

## 3. Scope

### Victorian Commission for Gambling and Liquor Regulation

The Victorian Commission for Gambling and Liquor Regulation (VCGLR) is the statutory authority that administers Victoria's gambling and liquor laws. Any person or organisation that intends to supply liquor in Victoria must apply for a liquor license from the VCGLR.

Liquor license applicants must obtain a planning permit or written permission from Council before making an application for a new liquor license from the VCGLR. This includes packaged liquor outlets, or to vary or relocate an existing license.

The VCGLR requires liquor licensees to demonstrate they have taken all reasonable care to identify, manage and control risks associated with obtaining and retaining a liquor license.

### City of Greater Dandenong

This Alcohol Management Policy applies to all Council decision-making on alcohol-related matters, liquor licensing, associated planning permits and land use.

### Liquor Licensed Premises

# Greater Dandenong Policy

This Policy applies to all types of privately operated licensed premises and related statutory planning applications, eg, packaged liquor, nightclubs, restaurants/cafes, a place of assembly, social, community, sport, leisure and recreational venues, that propose to be or are in the City.

- Prior to granting consent to the VCGLR, Council requires a liquor licence planning permit applicant to prepare an Alcohol Management Plan for Council approval, which comprehensively details the proposal
- Council maintains 'Information Guidelines for Liquor-related Planning Permit Applications' to assist applicants with the process and development of an Alcohol Management Plan, identify alcohol-related risks and implement mitigation strategies to minimise related harms
- An Alcohol Management Plan must outline to the satisfaction of Council the commitment and ability of an applicant or licensee to mitigate risks to compliance, behaviour and amenity associated with their proposal.

## Council Facilities

This Policy applies to all Council-owned and/or managed facilities, eg, halls, social, sport, recreational, leisure community centres, and similar, for occasions where event or function organisers, hirers, users and leasees wish to sell or supply alcohol for consumption.

A person or organisation proposing to, or who is, providing alcohol for consumption in a Council-owned and/or managed facility that is not liquor licensed must:

- Ensure they obtain a planning permit if required by the Victorian Planning Provisions, in addition to a liquor license permit from the VCGLR
- Comply with all alcohol management expectations and conditions outlined in any contract entered into with Council and in VCGLR fact sheets, guidelines and legislation
- Obtain the appropriate liquor license from the VCGLR and submit it directly for approval to the relevant Council business unit administering the facility, eg, Civic and Community Facilities, Sport and Recreation, Festivals and Events
- When proposing to sell alcohol directly (over the counter) or indirectly (a membership/entry fee that covers alcohol supply) at a one-off, or short series of events on specified dates, an appropriate liquor license is a Temporary Limited or Renewable Limited license
- When proposing to sell alcohol, a sport, recreation, social or similar club that hires, uses or leases a Council facility is required to obtain an appropriate liquor license, ranging from a Temporary Limited, Renewable Limited, Renewable Limited Club or other suitable liquor license
- If alcohol will not be sold at a one-off event or function in a Council-owned and/or managed facility that is not liquor licensed, the organiser is to ensure a liquor license is not required from the VCGLR if intending to allow BYO alcohol for consumption, and ensure evidence of any VCGLR decision or issued liquor license permit is submitted to the relevant Council business unit for approval.

## Public Land



# Greater Dandenong Policy

This Policy applies to all Council-owned and/or managed public land in the City, eg, parks, reserves, sports grounds, playing fields, open spaces and places, plazas, roads, pathways, car parks, and similar and all their related infrastructure.

- Council is committed to hosting drug and alcohol-free community events, functions and festivals on all public land
- Without a permit, Council's Local Law prohibits the consumption of alcohol or having an open container of alcohol in public places
- Only licensed premises with relevant conditions stipulated in their planning permit, and any required footpath-trading permit, can supply alcohol for consumption in their associated outdoor facility.

## 4. Human Rights and Responsibilities Charter – Compatibility Statement

All matters relevant to the Victorian Human Rights Charter have been considered in the preparation of this policy and are consistent with the standards set by the Charter. In particular, as is required by the Human Rights and Responsibilities Charter, this Policy is based on a human rights approach and will be applied to all liquor license applicants equally.

## 5. References

The alignment of this Policy with relevant Commonwealth, Victorian and Local Government policies and legislation demonstrates a consistent approach to alcohol management.

### Relevant Legislation

1. Victorian Planning and Environment Act 1987, Section 4(1)
2. Victorian Planning Provisions, Clause 52.27 Licensed Premises
3. Victorian Liquor Control Reform Act 1998
4. Practice Note 61 Licensed Premises: Assessing Cumulative Impact 2011
5. Victorian Local Government Act 1989
6. Victorian Public Health and Wellbeing Act 2008
7. Building Act 1993
8. Australian Building Code 2016
9. Disability Discrimination Act 1992
10. Local Law No.2 – Municipal Amenity, Clause 33 and 34 (City of Greater Dandenong)
11. Local Law No.3 – Road Management and Asset Protection, Clause 16 and 17 (City of Greater Dandenong)
12. Local Law No.4 – Municipal Places, Clause 7 and 9 (City of Greater Dandenong)
13. City of Greater Dandenong Footpath Activity Code of Practice, March 2013.

### Relevant Policies



# Greater Dandenong Policy

Various Commonwealth, Victorian and Council strategies and plans that support the principles of the Alcohol Management Policy include:

1. National Drug Strategy 2017-2026
2. Ministerial Drug and Alcohol Forum: 2017 draft National Alcohol Strategy 2018-2026
3. National Preventative Health Taskforce: Australia the Healthiest Country by 2020
4. Reducing the Alcohol and Drug Toll: Victoria's Plan 2013-2017
5. City of Greater Dandenong: Council Plan 2017-2021
6. City of Greater Dandenong: Municipal Strategic Statement
7. City of Greater Dandenong: Community Wellbeing Plan 2017-21
8. City of Greater Dandenong: Community Safety Plan 2015-22.

## 6. Definitions

**Alcohol** – is a legal and social drug in the form of ethyl alcohol or ethanol that affects people in varied ways, and recommendations on levels of its use aim to minimise health risks.

**Alcohol Management Plan** – refers to a written document by a liquor licensee, outlining how they will comply with legal obligations associated with alcohol supply and consumption, and procedures that will manage identified risks to compliance, behaviour, and amenity.

**Authorised Officer** – refers to any Person appointed under Section 224 and 224A (eg, members of Victoria Police and Council) of the Local Government Act 1989.

**Council** – is the City of Greater Dandenong.

**Council Facility, or Land** – refers to facilities and buildings or land owned, occupied or vested in the Council, or in respect of which Council has the care and management, and to which the public has access whether an entry fee is paid or not, including a public place.

**Harm Minimisation** – refers to a range of policies and strategies to minimise alcohol and other drug-related harm on health and wellbeing for individuals, families and communities, and social and economic elements in society.

**Liquor** – as defined in the Liquor Control Reform Act 1998.

**Liquor Accord** – refers to an entity made up of liquor industry representatives, Victoria Police, community members and other stakeholders that develops and implements strategies to improve the operation of licensed premises and minimise alcohol-related harm.

**Licensed Premises** – refers to a venue licensed to sell alcohol for consumption on or off-premises; produce wine or beer, allow BYO alcohol into the venue for consumption; or for wholesale, internet, mail order or one-off sales of alcohol.

**Packaged Liquor Outlet** – refers to the supply of alcohol in sealed containers for consumption off-premises, eg, bottle shops, a 'drive-thru' attached to a hotel, supermarkets, including retail sales from warehouse-styled and sized premises termed 'Big Box' outlets.

**SEM Alcohol Harm Reduction and Outlet Density Project** – refers to the South East Melbourne Group of Councils', an advocacy body consisting of Mayors and CEOs auspicing a research and planning project to minimise alcohol-related harm, particularly from packaged liquor.

**VCGLR** – is the Victorian Commission for Gambling and Liquor Regulation.

## 7. Council Alcohol Management Policy

This Policy provides Council with methods to work collaboratively across the organisation and with key stakeholders such as Victoria Police, to manage alcohol supply, consumption, and related impacts in the City of Greater Dandenong.

Council business units directly in the scope of this Policy include:

**City Planning, Design and Amenity** – Statutory Planning; Strategic Planning; Building Services; Regulatory Services

**Community Services** – Community Development; Festivals and Events; Youth Services; Community, Sport and Recreation Facilities

**Greater Dandenong Business** – Economic Development; Activities Centres Revitalisation; Business Networking; Retail Development

**Corporate Services** – Governance; Communications and Customer Service; Civic and Community Facilities; People and Procurement Services

### Across-Council Integrated Planning

The following outlines Council roles and its expectations of relevant parties and stakeholders in the management of all matters relating to alcohol management and its impacts.

Council will:

- Utilise harm minimisation, advocacy, crime prevention through environmental design, safer urban design, and integrated planning principles
- In recognition of the complexities resulting from alcohol sales and use, consider all applicable evidence, social, environmental, health, legal and economic factors to support effective decision-making and actions
- Maintain easy-to-understand materials and risk mitigation strategies, in 'Information Guidelines for Liquor-related Planning Permit Applications', to support applicants and licensees to prepare, and planners to assess, an Alcohol Management Plan
- Seek to ensure that applicants demonstrate their commitment, understanding and ability to implement Best Practice in managing licensed premises
- Plan, develop and maintain safe and health-promoting environments and public places in the vicinity of licensed premises and precincts
- Support the City's economic vitality and encourage a balance of licensed premises density and types by providing opportunities for across-Council input on applications
- Undertake GIS mapping of licensed premises in the City to determine their density and types to support decision-making on applications
- Advocate for the strengthening of the Victorian Planning Provisions
- Support the South East Melbourne Group of Councils' Project advocacy for changes to the Victorian Planning Provisions, particularly in relation to packaged liquor outlets
- Consult and plan with the community to support the City's economic vitality and develop safe, secure and enjoyable open spaces and public places

# Greater Dandenong Policy

- Work with Victoria Police and the VCGLR to assess and review liquor licence and planning permit applications, and ensure licensee compliance
- Liaise with Victoria Police regarding the planning and management of licensed premises in relation to public safety, security, amenity, and community wellbeing.

## Council Civic, Community, Social, Sport and Recreation Facilities

To minimise alcohol-related impacts in Council owned and/or managed facilities and their surrounds and public places, event or function organisers, hirers, users, or leasees; social, community, sport, recreational clubs, groups and similar, are required to:

- Work collaboratively with Council and Victoria Police to reduce the likelihood that licensed events and functions will adversely impact attendees, the surrounding community and amenity
- Submit proof of the endorsed VCGLR liquor license a fortnight before an event or function to the relevant Council business unit for approval, and if directed, to Victoria Police
- Comply with alcohol harm minimisation expectations and requirements in Council documents, leases and contracts, the VCGLR Safe Function Guidelines 2017 and endorsed liquor license
- Comply with Council's bond payment rankings for bookings, eg, one criterion to determine a high-risk event or function is the expected attendance of persons 13-30 years of age
- When directed by Council and/or Victoria Police, complete required documentation, eg:

**Council Registration Forms** – to be completed by those requesting the hire, use, or lease of Council owned and/or managed facilities or land

**Party Safe Program** – a Victoria Police initiative to minimise the risk of anti-social behaviour, violence, intoxicated guests and/or gatecrashers at parties and any impact on its surrounds, where organisers can register their event or function on the Victoria Police website at [www.police.vic.gov.au](http://www.police.vic.gov.au)

**Alcohol, Traffic and/or Risk management plans and Private Security Hire Contracts** – that outline to the satisfaction of Council and/or Victoria Police, the organiser's ability to ensure public safety and security, and mitigate compliance, behaviour and amenity risks

Council strongly recommends that all sport, recreation, and similar clubs in the City become a member of the **Good Sports Program** – an Australian Alcohol and Drug Foundation program to prevent alcohol and other drug-related harm in sports clubs.

Council reserves the right to refuse a booking for an event, function or similar if the risk to people, property, public safety, security or amenity is deemed detrimental by Council and/or Victoria Police.

## Statutory and Strategic Planning and Building Services

Council's planning units ensure that proposed licensed premises and any associated risks are fully assessed, and that applicants demonstrate their understanding of, commitment and ability to implement best practice in managing licensed premises.



# Greater Dandenong Policy

For liquor-related planning permit applications for licensed premises, or amendments to permits, Council Statutory and Strategic Planning units will ensure that:

- An Alcohol Management Plan is prepared by all applicants
- This Policy and the Information Guidelines are provided to planners, applicants and licensees in the course of enquiries, pre- and post-application planning negotiations
- All applications are referred to the Community Services directorate for a social impact-related assessment of the proposal
- If an Alcohol Management Plan is supported by Council, it will become a condition of the planning permit, should one be granted
- When making decisions, applications will be determined in accordance with the Greater Dandenong Planning Scheme and any relevant Practice Note/s or subsequent statutory planning legislation or guidance
- Where a Cumulative Impact Assessment is required under Clause 52.27 of the Victorian Planning Provisions, Council will utilise 'Practice Note 61 Licensed Premises: Assessing Cumulative Impact 2011' or subsequent statutory planning legislation or guidance.

For liquor-related planning permit applications for licensed premises, or amendments to permits, Council's Building Services will:

- Provide a determination when sought, with regard to patron capacity or other amenity-related issues in relation to compliance with the Building Act 1993.

## Regulation and Enforcement

Council will pursue its statutory and regulatory role in relation to:

- Ensuring licensed premises compliance with Local Laws requirements
- Oversight of outdoor trading areas, eg, footpaths, beer gardens/court yards, rooftop and other similar gardens
- Applications for a liquor license for an event or function in a Council owned and/or managed facility, public land and outdoor private land
- Provision and service of alcohol in Council owned and/or managed facilities
- Provision and service of alcohol at Council events, functions and festivals on public land
- Local Laws governing the possession and consumption of alcohol in public places.

## Council and Victoria Police Partnership

Council is committed to collaborating with governments, authorities, relevant organisations and stakeholders to implement measures that minimise alcohol-related harm in the City.

Council will:

- Advocate with and on behalf of Victoria Police regarding liquor licensing and resourcing to address alcohol-related violence in public, activity centres and private settings

# Greater Dandenong Policy

- Support Victoria Police in strengthening and promoting liquor licensee and licensed premises membership and involvement in the Greater Dandenong Liquor Accord
- Recommend to licensees of proposed or current licensed premises, that obtains or with an endorsed planning permit that they become a member of the Greater Dandenong Liquor Accord.

## Education and Communication

Council's Community Services directorate will embed alcohol management and harm minimisation objectives in Council's Community Wellbeing and Community Safety plans.

The Directorate will support across-Council planning with the aim of balancing community health and wellbeing priorities, economic vitality, public safety, security, and amenity.

Council will demonstrate its leadership role through:

- Its commitment to hosting drug and alcohol-free community events, functions and festivals in its facilities and public land
- Support and advocacy for community programs to protect at-risk groups, eg, young people, from alcohol-related harm and for responsible supply and consumption of alcohol
- Provision and support of education and awareness campaigns, alcohol-free events, functions and festivals, and involvement in local, national or global activities
- Collaboration with the stakeholders, organisations and cultural groups to gain and share understanding of trends and impacts to minimise alcohol-related harm in the community
- Use of social media tools, strategic communications planning, and Council's website to promote alcohol harm minimisation principles, strategies and programs
- Advocacy with and to, stakeholders, decision-makers and other levels of government for legislative and policy reforms to reduce alcohol-related harm in the community
- Participation in joint advocacy with stakeholders for resources and infrastructure, and increased alcohol and other drug treatments, services and programs
- Monitoring of global and local trends, research, best practice strategies, legislation and policy that may affect Council and/or the community of Greater Dandenong.

## 8. Related Documents

Other relevant legislation, policies, plans and strategies related to this Policy and not detailed in 'References' above, include the City of Greater Dandenong:

- Festival and Events Plan 2017-2021
- Community Facilities Management Policy
- Sports Facilities Plan 2015
- Sports Pavilion Management Policy 2015
- Youth Strategy and Action Plan 2016-2019



# Greater Dandenong Policy

---

- Local Economic and Employment Development Policy
- Activities Centres Placemaking Framework
- Noble Park Structure Plan (under review)
- Springvale Activity Centre Structure Plan
- Open Space Strategy
- Green Wedge Management Plan.