



POLICY NO	CP/COM 3584	
POLICY	Alcohol Management Policy	
RESPONSIBLE DIRECTORATE	Community Development	
RESPONSIBLE OFFICER	Director Community Development	
COUNCIL ADOPTION	Date: 26/04/2016	Resolution No: 11328
REVIEWED/MODIFIED	Date:	Resolution No:
	Date:	Resolution No:
REVIEW DUE	Date: April 2018	
LEGISLATION	<i>Liquor Control Act 1988</i> <i>Local Government Act 1995</i> <i>Health Act 1911</i> <i>Health (Public Buildings) Regulations 1992</i> <i>Building Act 2011</i> <i>Food Act 2008</i> <i>Shire of Wyndham East Kimberley Local Government Property Local Law 2003</i> <i>Shire of Wyndham East Kimberley Activities in Thoroughfares and Public Places and Trading Local Law 2005</i>	
RELATED POLICIES	Nil	
RELATED ORGANISATIONAL DIRECTIVES	OD/xxx Requirements for Public Events	

PURPOSE:

To act as the strategic guiding document for the community, applicants and Shire employees regarding considerations associated with new and existing licensed **and unlicensed (BYO)** venues; consumption and sale of alcohol on Shire property, and event management.

DEFINITIONS:

Alcohol has the same meaning as is given to liquor in section 3 of the *Liquor Control Act 1988*.

BYO means customers/participants bring their own alcohol for consumption.

Land Owned or Managed by the Shire means –

- (a) land which belongs to the Shire of Wyndham East Kimberley;
- (b) land of which the Shire of Wyndham East Kimberley is the management body under the *Land Administration Act 1997*; or
- (c) land which is an 'otherwise unvested facility'
- (d) a thoroughfare.

Permit means a permit issued under a local law.

Public Event: means an event that is open to the public whether or not the public are participants or spectators. Public events are typically advertised. An event (*as per Department of Health Guidelines for concerts, events and organised gatherings 2009*): means a gathering of people brought together for a common purpose by some prearrangement.

POLICY STATEMENTS:

The Shire acknowledges that consumption of alcohol is legal and a normal part of entertainment and leisure in our community. However, the misuse of alcohol contributes significantly to a wide range of social, economic and environmental implications for the community due to issues such as chronic disease, anti-social behaviour, violence, crime, vandalism, littering, and noise.

The Shire is committed to ensuring that the harm caused to individuals and the community from misuse of alcohol are minimised through the responsible sale, supply and consumption of alcohol. In order to achieve these outcomes, the Shire will:-

1. Work alongside agencies to help improve public health, community safety and wellbeing and to assist with the reduction of the harmful effects of alcohol.
2. Be actively involved with the Kununurra Wyndham Liquor Accord.
3. Reflect community values and expectations in the Shire's services and programs in assisting with the management of alcohol and the associated issues it creates by consulting with the community and encouraging participation in alcohol related decision making.
4. Support evidence based measures that reduce harm caused by the misuse of alcohol.
5. Support the provision of services such as sobering up facilities and, drug and alcohol counselling.

Applications for Planning Approval

6. Consider all applications for planning approval of licensed premises with regard to potentially unreasonable impacts on the health, wellbeing, amenity and safety of the community. This would include, where appropriate, external engagement with the WA Police Service, the Drug, Alcohol and Preventive Service and other agencies.

Applications for Extended Trading Permits

7. Consider all permits for extended trading hours of licensed premises with regard to:-
 - potentially unreasonable impacts on the amenity and safety of the community. This would include, where appropriate, external engagement with the WA Police Service, the Drug, Alcohol and Preventive Service and other agencies
 - compatibility of the activity that occurs during the requested extended time
 - the applicants ability to demonstrate a responsible attitude to the provision of alcohol and compliance with licensing laws and regulations
 - appropriate levels and use of registered security staff.
8. Not support a permit if the primary purpose of the extended trading hours relates to alcohol consumption.
9. Not support a permit for extended trading hours without food being available for consumption.

Private Land - BYO Applications

10. Only support an application for BYO consumption of alcohol at unlicensed restaurants and cafes if:-
 - the venue complies with Planning/Development/Health requirements
 - alcohol consumption is ancillary to a meal
 - the applicant documents how alcohol consumption will be responsibly monitored and managed (consideration of children / juveniles in the alfresco area, preventing intoxication, how will the area be monitored, etc.)
 - the applicant and staff hold a Responsible Service of Alcohol qualification
 - a risk assessment has been undertaken, and a Risk Management Plan developed in accordance with AS/NZS ISO 31000:2009.
11. Not support an application for BYO where the venue has a clear child / juvenile appeal or patronage.

Land Owned or Managed by the Shire

12. Only support a permit for the consumption of alcohol (BYO) at unlicensed alfresco dining areas if:-
 - the venue complies with Planning/Development/Health requirements
 - alcohol consumption is ancillary to a meal
 - consumption of alcohol only occurs within the approved alfresco dining area
 - the permit holder documents how alcohol consumption will be responsibly monitored and managed (consideration of children / juveniles in the alfresco area, preventing intoxication, how will the area be monitored, etc.)
 - the permit holder and staff hold a Responsible Service of Alcohol qualification
 - a risk assessment has been undertaken, and a Risk Management Plan developed in accordance with AS/NZS ISO 31000:2009.
13. Not support a permit for an alfresco dining area where the venue has a clear child / juvenile appeal or patronage.
14. Only support a permit for the sale and / or consumption (BYO) of alcohol at sporting fields or public open space if:-
 - food is available for consumption
 - low percentage alcohol, soft drink and water are available (no glass containers)
 - alcohol is only sold and supplied in accordance with Trading Hours nominated in the Kununurra Wyndham Liquor Accord
 - the primary focus of the activity is not child / juvenile related
 - the permit holder documents how alcohol consumption will be responsibly monitored and managed (consideration of children / juveniles in the area, preventing intoxication, how will the area be monitored, etc.)
 - the permit holder and all people involved with the sale of alcohol hold a Responsible Service of Alcohol qualification
 - no objection is received from the WA Police
 - a risk assessment has been undertaken, and a Risk Management Plan developed in accordance with AS/NZS ISO 31000:2009.
15. The Shire will not support the closure of roads for alcohol consumption such as street parties.
16. The Shire may seek additional strategies to be implemented before approval is given if there are likely to be large crowds involved with the activity.

Alcohol at Shire Community Facilities

17. Consumption permits are required for hirers of a facility. No alcohol is to be consumed by hirers on the grounds surrounding a community facility.
18. **Hirers of a facility must undertake a risk assessment, and develop a Risk Management Plan in accordance with AS/NZS ISO 31000:2009**
19. No approvals for the consumption of alcohol will be provided at the Kununurra Swimming Pool area, Wyndham Swimming Pool and Ted Birch Recreation Facility.
20. Children / juveniles are not permitted to utilise hired facilities where alcohol is being consumed unless accompanied by a parent or guardian and are not to be permitted to consume alcohol on Shire owned or managed land.

Public Events

21. Ensure that Shire organised public events, for example Australia Day, are alcohol-free events.
22. Ensure where an event or activity has a focus on children / juveniles, or has a strong youth patronage, that the event, venue or activity is required to be alcohol-free.
23. **Event applications must include a Risk Management Plan developed in accordance with AS/NZS ISO 31000:2009.**

Alcohol and Youth

24. Not support the sale or consumption of alcohol in a situation where adults can watch children / juveniles playing sport while drinking without adequate separation by distance and a structural barrier.
25. Not support alcohol consumption permits and approvals for occasional liquor licences for events linked with junior clubs where junior players will be attending.

EXPLANATORY NOTES:

AS/NZS ISO 31000:2009 Risk Management - Principles and Guidelines defines the concept of risk, explains how it comes about, and describes the principles, framework and processes that allow risk to be managed effectively.

RISK:

Risk: Failure to comply with legislative requirements leading to damage of reputation and/or financial loss.

Control: Review policies and procedures in accordance with review schedule.