

# Council Policy

<b>Council policy title:</b>	<b>Alcohol Harm Minimisation Policy</b>
<b>Council policy ref no:</b>	C/POL/CMS/035
<b>Council policy owner:</b>	Director Community Services
<b>Adopted by:</b>	Bayside City Council
<b>Date adopted:</b>	25 June 2013
<b>Scheduled review:</b>	June 2017

(Council Policy is a public statement formally resolved by Council, which clearly states Council's requirements in relation to a particular matter or issue. For Council policy approval process see Section 10 and Appendix 1 of the Policy Handbook.)

## 1. Policy intent

The policy is intended to guide Council's decision making with regard to alcohol and alcohol-related issues in the municipality, consistent with other legislative requirements.

## 2. Purpose/Objective

The purpose of the policy is to contribute to minimising harms associated with the misuse of alcohol in Bayside and thereby to enhance community health and wellbeing, local amenity and community safety.

## 3. Scope

The policy will operate in conjunction with statutory requirements of the *Liquor Control Reform Act 1998 (Vic)*, *Planning and Environment Act 1987 (Vic)*, *Bayside Planning Scheme*, *Local Government Act 1989 (Vic)*, *Food Act 1984 (Vic)*, *Bayside Consolidated Local Law No 2*, and the *Public Health and Wellbeing Act 2008 (Vic)*. It will support certain processes that exist under current legislation and provide guidance on decision making in relation to the use of alcohol in Bayside including consideration of:

- Requests to Council for permission to apply for liquor licenses on Council land.
- Applications for liquor licences provided to Council by the Victorian Commission of Gambling and Liquor Regulation (VCGLR) for comment.
- Instances where permit applications should be referred for social assessment or further analysis.
- Council programs and services, for example, the promotion of responsible alcohol use through youth services initiatives.
- Amenity issues related to alcohol dealt with under the Bayside Consolidated Local Law No 2.
- Provision and promotion of alcohol at Council managed or sponsored events.
- Any future development of planning scheme policy regarding alcohol use, if required.

This policy will not apply to Council human resource management issues which are covered by separate processes.

#### 4. Roles & Responsibilities

The Director Community Services will be responsible for ensuring the review and evaluation of the policy and Coordinator of the Policy and Planning unit will provide advice on the policy. Implementation of the policy will be the responsibility of various Council departments including Statutory Planning, Amenity Protection, Commercial Services and Youth, Recreation and Events, and Policy and Planning Unit as specified in supporting procedures.

#### 5. Monitoring, evaluation & review

The effectiveness of the Alcohol Harm Minimisation Policy will be reviewed by the Policy and Planning unit, with input from all departments involved in its implementation and from community stakeholders. Information on licence applications, decisions and relevant health and social impact assessments will be maintained in Council's record management system. Liquor outlet density will be monitored using data from the VCGLR. The impact of alcohol on the Bayside community will be monitored in conjunction with the preparation, implementation and evaluation of the Municipal Public Health and Wellbeing Plan.

#### 6. Policy statement

This policy recognises that alcohol has a role within society; however, excessive alcohol consumption can lead to preventable harms.

Moderate consumption of alcohol involves minimal health risks. Consumption of alcohol occurs in a wide range of social and cultural occasions including celebrations and community events. Alcohol is important to our economy as it generates revenue for manufacturers, advertisers and sellers, including local business and sporting clubs and leads to employment in the hospitality and tourism sector.

Excessive alcohol consumption is a major health risk factor and a cause of preventable death and illness. Alcohol misuse has impacts not only on the drinker but other members of the community. This impact ranges from nuisance experienced through noise and vandalism, through to injury and deaths caused by drink driving, assaults and domestic violence.

This policy is based on the principle of harm minimisation, consistent with the objectives of the *Liquor Control Reform Act 1998 (Vic)* and with Priority 5 'Safe environments for all' of Council's Health and Wellbeing Plan 2009-2013.

Harm minimisation encompasses interventions, programs and policies that seek to reduce the health, social and economic harms of alcohol misuse to individuals, communities and societies through taking action in the following three areas.

- **Supply reduction** – including controlling and managing availability of liquor licences and conditions such as trading hours.
- **Demand reduction** – including preventing or delaying drinking by young people, and community education programs about risks associated with inappropriate use.

- **Harm reduction** – including reducing the impact on individuals, families and communities through treatment, social programs, and addressing community safety and amenity issues.

Council will apply the principles of harm minimisation to guide decisions and procedures in regards to alcohol consistent with evidence summarised in the *Bayside Alcohol Policy Background Issues Paper August 2012* and subsequent research published by relevant health and government agencies.

Tables 6.1, 6.2 and 6.3 below identify the harm minimisation framework through which Council will base decision making and referrals for social assessment or further analysis under associated procedures.

## 6.1 Supply Reduction

Issue	Approach (in addition to the provisions of clause 52.27 of the Bayside Planning Scheme)
<b>6.1.1 Trading hours</b>	<p>Council will seek to achieve appropriate trading hours of alcohol outlets to ensure minimal impact on neighbourhood amenity and alcohol related harms.</p> <p>Evidence indicates that the risk of increased harms can be associated with venues that trade after:</p> <ul style="list-style-type: none"> <li>• 11pm in residential areas</li> <li>• 1am in all areas</li> </ul>
<b>6.1.2 Outlet density – cumulative impact</b>	<p>Council will seek to minimise the negative cumulative impact that can arise from clustering of outlets and the associated impact on the surrounding area and alcohol related harms.</p> <p>Locations at risk of harms associated with cumulative impact have been identified as:</p> <ul style="list-style-type: none"> <li>• Three or more licensed venues within a radius of 100 metres</li> <li>• 15 or more licensed venues within a radius of 500 metres</li> <li>• 8 or more pre-packaged liquor stores within a one kilometre network distance.</li> </ul>
<b>6.1.3 Venues and locations</b>	<p>Council will seek to ensure that venue characteristics and locations are appropriate in relation to identified risks of harms.</p> <p>Evidence suggests that higher risk characteristics include:</p> <ul style="list-style-type: none"> <li>• Fewer seats than patrons, resulting in “vertical drinking”</li> <li>• Venues that change in nature over the course of a day without clarity in licence type, such as restaurants which, as the evening progresses, may exhibit the features of a bar</li> <li>• Inadequate access to public transport, particularly around closing times.</li> </ul>

<p><b>6.1.4 Landlord (Council) consent</b></p>	<p>Council has particular responsibility regarding the use of Council buildings and land and will to seek to minimise any negative impacts arising from alcohol use in Council owned or managed facilities.</p> <p>Any person or organisation utilising Council facilities or land must obtain Council consent prior to applying for a liquor licence through the VCGLR. This requirement and any associated constraints will be specified in the lease or other occupancy agreement.</p> <p>When responding to a request for landlord consent to permit a Council tenant/ occupant to apply for a liquor licence, Council will consider:</p> <ul style="list-style-type: none"> <li>• The manner and level of alcohol supply and consumption is consistent with the type of liquor licence.</li> <li>• The trading hours and other licence conditions are appropriate in relation to the primary activities of the tenant, venue characteristics and location of the licensed premises.</li> <li>• Alcohol consumption should not be associated with junior sporting competition.</li> <li>• The supply of alcohol from the licensed area for consumption on public open space (e.g. spectators at a sportsground) be between sunrise and sunset (consistent with Local Law No 2).</li> <li>• The appropriate accreditation level of the applicant for the responsible serving of alcohol and participation in responsible drinking initiatives such as Good Sports Program.</li> <li>• Tenancy history of the applicant including absence of liquor licence or tenancy breaches.</li> <li>• Potential impact on surrounding land use and residential amenity.</li> </ul> <p>In assessing requests for landlord consent, Council will also recognise that the appropriate and responsible sale and consumption of alcohol may enhance social connection and the financial sustainability of local sporting clubs and organisations.</p>
--	--

## 6.2 Demand Reduction

Issue	Approach
<p><b>6.2.1 Education</b></p>	<p>Council will work in partnership with regulatory bodies, schools, health agencies, community clubs and organisations to inform and educate the community, particularly young people and their parents, about the harms associated with alcohol misuse.</p>



<b>6.2.2 Marketing and sponsorship</b>	<p>Council will seek a balanced and responsible approach to the marketing of alcohol and will:</p> <ul style="list-style-type: none"> <li>• Discourage alcohol advertising and sponsorship during sporting and community events which target children and young people and</li> <li>• Ensure that adequate responsible drinking messages are promoted during Council events at which alcohol is present.</li> </ul>
<b>6.2.3 Alcohol free events</b>	<p>Council will continue to provide, encourage or support community events that are drug, alcohol and smoke free.</p>
<b>6.2.4 Role modelling</b>	<p>Council will encourage and support Bayside schools, clubs and other Bayside applicants for temporary liquor licences to serve alcohol responsibly (for instance during school fetes).</p> <p>Council will lead by example in the responsible serving of alcohol by ensuring that the policy principles are used to guide decisions regarding alcohol use with civic functions and events.</p>

### 6.3 Harm Reduction

<b>Issue</b>	<b>Approach</b>
<b>6.3.1 Responsible serving of alcohol</b>	<p>Council strongly supports the VCGLR's requirement that all relevant persons and organisations that serve or supply alcohol have completed the Responsible Serving of Alcohol course.</p> <p>Where appropriate, Council will require a liquor licence applicant to be registered with a responsible drinking initiative, such as:</p> <ul style="list-style-type: none"> <li>• Victoria Police Party Safe Program for parties requiring Council approval</li> <li>• The Good Sports Program for sporting clubs operating on Council land</li> </ul>
<b>6.3.2 Neighbourhood amenity</b>	<p>Council will monitor the effectiveness of Local Law No 2 'Neighbourhood Amenity' regarding the misuse of alcohol in municipal places.</p>
<b>6.3.3 Alcohol free zones</b>	<p>Council may consider the establishment and maintenance of 'Alcohol Free Zones' as part of managing public safety in areas of risk.</p>

Council will encourage applicants for liquor licences, events or other activities involving alcohol in Bayside, to show regard for these alcohol harm minimisation principles when developing proposals for Council's consideration.

## 6.4 Advocacy

Council will advocate to other levels of government and relevant organisations, as appropriate, for policy settings and initiatives that support the achievement of harm minimisation consistent with this policy, including research, data collection and publication of information that enables ongoing monitoring and review of the impact of alcohol access, sales and consumption on the community.

## 6.5 Procedures

Procedures will be developed, consistent with this policy, to guide Council's decision making in regards to the use of alcohol. It is intended that these procedures will cover the key areas of:

- liquor licence applications requiring social and health impact assessment
- applications for Council consent as landlord
- referrals from the VCGLR
- sponsorship and messaging at events within Bayside
- responding to concerns with liquor licences.

## 7. Related documents

<b>Policies</b>	<ul style="list-style-type: none"><li>• Events in Public Places Policy 2012</li><li>• Food Safety Policy 2007</li><li>• Leasing Policy 2008</li></ul>
<b>Strategies</b>	<ul style="list-style-type: none"><li>• Health and Wellbeing Plan 2009-2013</li><li>• Youth Strategy 2010-2013</li></ul>
<b>Procedures</b>	<ul style="list-style-type: none"><li>• Procedures to be developed (see section 6.4)</li></ul>
<b>Other</b>	<ul style="list-style-type: none"><li>• Alcohol Beverages Advertising (and Packaging) Code</li><li>• Bayside City Council Alcohol Harm Minimisation Background Paper 2012</li><li>• Bayside City Council Consolidated Local Law No.2 'Neighbourhood Amenity'</li><li>• Bayside Planning Scheme</li><li>• VCGLR : <a href="http://www.vcglr.vic.gov.au/home/liquor+licences/">www.vcglr.vic.gov.au/home/liquor+licences/</a></li></ul>

## 8. Definitions & Abbreviations

Term	Meaning
<b>Cumulative Impact</b>	Cumulative impact refers to both positive and negative impacts that can result from clustering a particular land use or type of land use.
<b>Landlord consent</b>	The approval required from the landlord to the tenant that will permit the applicant to apply for a liquor licence and/or planning permit.
<b>Outlet density</b>	The number of liquor licenses existing within an established geographic area.
<b>VCGLR</b>	Victorian Commission of Gambling and Liquor Regulation
<b>Vertical Drinking</b>	Licensed premises which have few chairs, shelves or other furniture for the use of patrons. As a result patrons are forced to stand (drinking vertically) and hold their drink in their hands.

**Please note:** This policy is current as at the date of approval. Refer to Council's website ([www.bayside.vic.gov.au](http://www.bayside.vic.gov.au)) or staff intranet to ensure this is the latest version.