

ALCOHOL IN COUNCIL CONTROLLED SPACES & PLACES POLICY

No. 0082.100.E.R

1 PURPOSE

The intent of this Policy is to guide Council, its staff and the broader community of the management of alcohol (including sale and consumption) in Council owned/controlled places.

2 SCOPE

This policy applies to Elected Members and all City of Darwin operations which includes employees, consultants, contractors and any other relevant workplace participants, which operate within the Council environment. It also applies to the general community and those who wish to hold events on Council owned/controlled land whereby alcohol will be sold and/or consumed.

3 POLICY STATEMENT

Council recognises that for many people, the use of alcohol is an accepted part of the Australian lifestyle. However, Council is also cognisant that the excessive use of alcohol to harmful levels and the adverse impacts of public intoxication results in reduced community amenity, increased health and social harms and community safety issues. For these reasons, Council endorses the responsible consumption, sale and service of alcohol within a broader, *harm minimisation* approach. As part of harm minimisation approach, Council does not support the use of its spaces or places where the primary focus of the activity is the selling, promotion or consumption of alcohol.

This Policy promotes a planned and consistent approach to the consumption and sale of alcohol on Council owned/controlled public land and/or facilities. Council seeks to make available access to its spaces and places in an equitable manner for the benefit of all in the community.

3.1 ALCOHOL CONTROLS IN THE NT

In the Northern Territory, the sale, supply, service, promotion and consumption of alcohol is governed by the Northern Territory Government under the *Liquor Act 2019* (NT). Consumption of alcohol in any public place in the Darwin Municipality is prohibited, except where the owner/occupier of that public place gives their permission for people to consume alcohol in that area.

3.2 CONSUMPTION OF ALCOHOL IN COUNCIL OWNED/CONTROLLED SPACES AND PLACES

Council as owner/controller of many public areas within the Local Government Area can allow the consumption and/or sale of alcohol on its land or facilities. Permission is granted within the requirements of the *Liquor Act 2019* (NT) and/or Council procedures/requirements related to the issuing of consumption permits, approved public events and/or within its owned facilities (such as sporting facilities).

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3.3 CONSUMPTION OF ALCOHOL IN PROHIBITED PUBLIC PLACES

Under the *Liquor Act 2019* (NT) a person must not consume liquor in any public place, including Darwin.

The exception is when Council allows the sale and/or consumption of liquor in its owned/controlled public places within clearly signed and specified conditions, such as nominated consumption times within a location, which has clearly delineated boundaries. Usually, these areas are governed by an *Event Authority* or a *Permit for Consumption of Liquor on Council Property* however there are also some public areas whereby Council will allow consumption without a permit. These areas are clearly signed and up-to-date information on these locations is provided on the City of Darwin website.

3.4 SALE/CONSUMPTION OF ALCOHOL AT MAJOR PUBLIC EVENTS

Events where liquor is sold: for an event on Council land which includes the sale of liquor, an *Event Authority* (or event license) may be issued however such an event requires an application to Licensing NT. Applicants are to meet any legislative obligations and timeframes required as part of the application process for an Event Authority.

3.5 PERMITS TO CONSUME LIQUOR ON COUNCIL OWNED/CONTROLLED PUBLIC PLACES

Permit for Consumption of Liquor on Council Property: a person or organisation may apply for a permit to *consume* (not sell) alcohol in a prohibited public place within Council owned/controlled land for special events or functions (such as weddings). The permit requires the endorsement of the Northern Territory Police and when issued allows the consumption of liquor by guests of the permit holder only. Permits are issued at the discretion of Council. Council may grant a permit, refuse to issue a permit, or cancel a permit which has been issued.

Council reserves the right to refuse event and consumption only applications for sale and/or consumption on its owned/controlled public places and/or facilities.

An applicant seeking permission for use of liquor in Council's spaces and places should seek to meet one or more of the community and cultural elements below in alignment with Council's Strategic directions:

- Activation of spaces and places by delivery of cultural, creative industry or social outcomes that contribute to a safer community and community life. For example cultural festivals, pop-up music festivals, food festivals, community fundraisers, neighbourhood get-togethers, or community fixtures.
- Community benefit by equitable access to community participation opportunities, for example weddings, neighbourhood picnics and gatherings, religious festivals.
- Activation of spaces and places through increased sport, recreation and leisure experiences, for example competitions, festivals and award ceremonies.

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- Positive community development outcomes for local groups, businesses and organisations, for example a local expo promoting produce, occasions where community and government connect to launch a policy, program or new venue.

3.6 SALE/CONSUMPTION OF ALCOHOL IN COUNCIL OWNED FACILITIES (I.E. COUNCIL OWNED SPORTING FACILITIES)

Council owns a number of sporting facilities whereby local Clubs sell alcohol as part of their fund raising activities, with Council permission. Such facilities are licensed venues with an appropriate Authority (licence) which is issued by Licensing NT and subject to legislative controls under the *Liquor Act 2019* (NT).

3.7 ALCOHOL SIGNAGE IN THE MUNICIPALITY

Council provides signage which delineates areas where alcohol consumption is permitted, rather than erecting signage throughout the Municipality to indicate every area that alcohol consumption is not permitted. The community should always assume alcohol cannot be consumed in public areas, unless signage is present to indicate otherwise.

4 DEFINITIONS

Authority: (as in licence) means an Authority or liquor licence granted under the NT Liquor Commission. Authorities are managed/monitored by Licensing NT.

Harm minimisation; In line with the Australian Government's national framework of drug and alcohol policy, harm minimisation consists of policies, programmes, practices and strategies which aim to reduce the harms associated with drug and/or alcohol use. Harm minimisation does not condone illegal or improper use of substances however supports the reduction of harms to individuals, their families and the broader community.

Licensing NT supports the Commission in enforcement, reporting, investigating and monitoring laws and requirements under the *Liquor Act 2019* (NT).

Liquor Act 2019 (NT) governs the sale, supply, service, promotion and consumption of all forms of liquor and alcohol products for the purpose of minimising their associated harm and for related purposes.

NT Liquor Commission is the Northern Territory's independent statutory body responsible for the regulation of liquor licensing in the NT under the *Liquor Act 2019* (NT).

Permission for prohibited public place: the owner or occupier of a public place may give permission for the consumption of liquor on or in all or a part of that place (this includes permissions by a local Council)

Permit for Consumption of Liquor on Council Property: City of Darwin may issue a liquor consumption permit which is considered in conjunction with an event or occasion (such as a wedding). A permit not supported by NT Police is unable to be issued.

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Prohibited public place: Under the *Liquor Act 2019* (NT) a person must not consume liquor in any public place in the Northern Territory, including Darwin. This also includes areas not specifically listed under the *Liquor Act 2019* (NT) but which are within 2km of a licensed premises.

5 LEGISLATIVE REFERENCES

Liquor Act 2019 (NT)

6 PROCEDURES / RELATED DOCUMENTS

Nil

7 RESPONSIBILITY / APPLICATION

The General Manager Community and Regulatory Services is responsible for managing implementation of this policy.

This policy will be reviewed within the term of the Council.

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