

Title:	Alcohol in Council Controlled Spaces and Places
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1 Policy Summary

City of Darwin (Council) is caretaker and custodian of a significant number of community spaces and places across the municipality. All are utilised for a myriad of purposes including recreation, sports, leisure, celebrations and community activity.

On regular occasions, Council is approached to permit the consumption or sale of liquor on its land or within its community infrastructure. Council, in its role of community advocate, service provider and *landlord*, seeks to balance community expectations, population health and wellbeing endeavours, facilitate equity of access and encourage activation of spaces and places while recognising that the use of alcohol is part of the Australian lifestyle.

2 Policy Objectives

The intent of this policy is to guide Council, its staff and customers in the management of Council's spaces and places in relation to the use of alcohol. The responsible consumption, service or sale of alcohol underpins this policy.

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.
- 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 Background

Darwin's outdoor lifestyle lends itself to a growing number of community events and activities in Council controlled spaces and places.

Council's strategic directions articulate its intent to foster desirable places and open spaces that provide for a diversity of uses. This is paired with its pursuit of partnerships and activities that contribute to a safer Darwin community through leadership and advocacy efforts.¹

This policy provides for equitable access to Council's public places and spaces and encourages activity that aligns with its strategic direction, goals, and strategies. Council seeks to maintain its places and spaces to enhance community amenity for the enjoyment of all in the community. The policy provides guidance to support a consistent approach when considering events in public spaces and places that include alcohol consumption. Council endorses the responsible service and consumption of alcohol when use of alcohol is sought.

To achieve this end, the following statements operate as a guide to sound management of Council's spaces, places and sporting field venues in relation to use of alcohol. Venue examples include community centre meeting rooms, community halls, ovals, parks and foreshores. Council's Child Care Centres and swimming pools are excluded from this policy statement and will be considered on a case by case basis, at the discretion of Council.

4 Guiding statements

- Council supports activity that aligns with its strategic directions, goals and strategies.
- Council seeks to encourage the responsible consumption, service and sale of alcohol.
- 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. To illustrate, this involves where the call to action is primarily the promotion of

¹ City of Darwin *Evolving Darwin Towards 2020 Strategic Plan*. Goal 1.

alcohol, sale or consumption or where the purpose of the event relates specifically to a brand or alcohol consumption activity.

- Council acknowledges events and celebrations will, from time to time, include use of alcohol and requires applicants seeking a permit to actively demonstrate an emphasis toward responsible service and consumption of alcohol for the duration of the activity.
- Council seeks to make available access to its spaces and places in an equitable manner for the benefit of all in the community.
- Council encourages the utilisation and activation of its spaces and places by delivery of a diverse range of cultural, sport, recreation, leisure, creative industry or social outcomes that contribute to community life.
- Council reserves the right to determine, on a case-by-case basis, use of alcohol in its spaces and places.
- Council recognises that excessive alcohol consumption and the adverse impacts of public intoxication result in compromised community amenity, health and social harms and poses a significant cost burden on the community.
- Refer **Appendix A** for guiding examples.

5 Legislation, terminology and references

The consumption of liquor in public places across the Darwin municipality is governed by the Liquor Act and, in effect, is not permissible unless a permit is issued, or express permission granted.

Various legislated restrictions are in place across the municipality which require differing approaches in relation to permits and permissions, namely:

Regulated Place: Known as the “2K Law”, equates to no consumption of liquor in any public place that is within two kilometres of a licensed premise. Exemptions can be granted by the owner of the public place, or the Liquor Commission if the owner concurs. Mindil Beach and Nightcliff Foreshore are two areas where the City of Darwin gives ‘express permission’ for alcohol consumption between certain times through the posting of signs in those areas.

Public Restricted Area: A declared area where consumption of liquor is prohibited, the area is sign posted as ‘No Alcohol’, and fines apply. To hold an event that involves sale of or consumption of liquor, a person must submit a Special

Event Permit application to the Liquor Commission. If the City of Darwin owns or controls the space or place, it will be required to endorse the application. This

application process also covers the Public Restricted Area permit application to allow liquor to be consumed at the event.

Designated Area. The CBD is a Regulated Place, but is also declared a Designated Area, as a mechanism that seeks to reduce the incidence of alcohol fuelled violence in and around licensed premises. This designation empowers NT Police to ban an individual from a particular venue or entire area for up to 48 hours, or via the court process for up to a year. Any application to hold an event that involves alcohol consumption in the CBD Designated Area is managed in the same manner as any Regulated Place, with Council able to grant exemptions subject to this policy.

It should be noted that a Special Liquor License application is required for the sale of alcohol for any event in an area that falls under the Liquor Act.

6 Implementation and delegation

This policy should be applied in conjunction with Policy 011 Outdoor Dining and the Alcohol Permit Application – Work Flow Procedure document which describes responsibilities and delegations for the internal processing and management of alcohol permits.

7 Evaluation and review

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

Appendix A Alcohol In Council Controlled Spaces and Places
Operational Guiding Examples
RSA – Responsible Service of Alcohol

DESIRED USE OF SPACES & PLACES	UNSUITABLE USEAGE
<ul style="list-style-type: none"> • Birthdays, weddings, funerals, wakes, days of observance eg Christmas. • Must comply with RSA principles. • Function is not alcohol-themed or its consumption promoted. 	<ul style="list-style-type: none"> • <i>Brand X Cocktails on the Coast</i> event: The call to action relates to alcohol branding and its consumption. • Dry season <i>Brand X Cider Sessions</i>: The call to action relates to alcohol branding.
<ul style="list-style-type: none"> • Sport, recreation and leisure activities. • Must comply with RSA principles. • Senior competitions, club fundraising, and club annual award events where promotion or the call to action does not feature alcohol branding or alcohol consumption. 	<ul style="list-style-type: none"> • Provision of free alcohol or sales at junior competitions and events • Events encouraging the irresponsible consumption of alcohol (i.e. Mad Monday celebrations)
<ul style="list-style-type: none"> • Small scale local neighbourhood pop-up event such as a sunset sausage sizzle in a local park. • Must comply with RSA principles. • The call to action or event title does not feature alcohol branding or consumption or is the focus of the event or activity. • Community safety elements should also be considered when selecting location (ie is the space a 'hot spot' for public intoxication issues). 	<ul style="list-style-type: none"> • Small scale local neighbourhood fundraiser BBQ with all proceeds of alcohol sales serving as the exclusive means of generating funds.
<ul style="list-style-type: none"> • Fashion parade event, outdoor dinner with raffles, music, food. • Must comply with RSA principles. • Function/event is not alcohol-themed or promoted or its consumption. 	<ul style="list-style-type: none"> • Provision of free alcohol in spaces or places as part of a commercial event, concert or activity.
<ul style="list-style-type: none"> • Community arts festival, program, business or service launch or presentation where the call to action or event title does not feature alcohol branding or consumption or is the focus of the event or activity. 	<ul style="list-style-type: none"> • All you can eat and drink community quiz night/lunch/event (encourages irresponsible consumption of alcohol).
<ul style="list-style-type: none"> • Business, community organisations, local clubs expos, promotional, 	<ul style="list-style-type: none"> • Sponsorship/naming rights equates to promotion of alcohol or alcohol brand via

<p>recruitment activities where the call to action does not feature alcohol consumption or alcohol promotion.</p>	<p>titling of event eg <i>Verna's Vodka Christmas Luncheon</i></p>
<ul style="list-style-type: none"> • Fundraiser, quiz nights, community meals/dinners where use of alcohol is an aspect of the event/activity – not the primary call to action or promotion. 	
<ul style="list-style-type: none"> • Large scale event at outdoor venue that neither promotes or names alcohol or its branding as the call to action. 	
<ul style="list-style-type: none"> • <i>Seafood and wine festival</i> Major call to action is promotion of local NT seafood industry. Wine is secondary element and does not seek to promote a focus on consumption or branding. 	
<ul style="list-style-type: none"> • Iconic community fundraiser promoted as a family fun day / all ages water event including market stalls, beach games, charity fundraising activities, food stalls. 	