



TOWN OF VINCENT

ALCOHOL MANAGEMENT PLAN 2010-2015

*Adopted at the Ordinary Meeting of Council held on
13 April 2010*

Purpose

The purpose of this Plan is to formally recognise and outline the roles and responsibilities of the Town's Three Directorates and respective Service Areas, in relation to the management of alcohol. The Plan aims to integrate the efforts of each of the Town's Directorates to support the overarching Council *Policy 3.8.11 – Alcohol Management*, and details the specific and incidental policies, procedures and guidelines that exist within the organisation to mitigate the adverse impacts of alcohol use. It also provides a foundation to facilitate the ongoing development and improvement of alcohol management processes throughout the organisation.

This Policy shall be reviewed 12 months from date of adoption and every 5 years thereafter.

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PART 1 - Liquor Licensing and Licensed Premises

1. UNDERSTANDING THE JURISDICTION OF LOCAL GOVERNMENT AUTHORITIES IN RELATION TO ALCOHOL

There are two approval/decision making phases to be satisfied before a liquor licence is granted. Phase one involves Local Government making a decision as to whether the location for which the application relates, is acceptable in accordance with Town Planning and Environmental Health Requirements. Without obtaining phase one approval from the Local Government Authority the liquor licence application cannot progress to phase two. In phase two, the decision making responsibility with respect licence application approvals, cancellations and compliance rests with the Department of Racing, Gaming and Liquor's (DRGL), Director Liquor Licensing and Liquor Commission. The *Liquor Control Act 1988* is the legislation that guides decisions in phase two and is generally a far more exhaustive process than phase one.

Should a licence application be approved in phase one, a further opportunity exists via DRGL processes and through provisions of 'the Act' for the Town and other referral agencies to influence licensing approvals and compliance. Others with provisions within the 'Act' to make submissions to the Licensing Authority about liquor licence applications include the Commissioner of Police and the Executive Director, Public Health. WA Police also have an enforcement role within the *Liquor Control Act 1988*.

Refer to [Appendix B](#) for specific provisions available in the *Liquor Control Act 1988* that give the Town both preventatively and reactionary opportunities, to influence alcohol/liquor licensing matters. These powers and opportunities are fundamental to the application of this Plan.

2. DIRECT RELATIONSHIP OF THE TOWN'S ALCOHOL MANAGEMENT PLAN TO OTHER KEY DOCUMENTS

Alcohol Policy

Policy Objectives:

1. *To minimise the prevalence of alcohol-related harm within the Town's community.*
2. *To reduce the negative health, social and economic costs associated with the misuse of alcohol in the community.*
3. *To acknowledge responsibilities and provide guidance to the Town's Officers in relation to their important role in the management of alcohol.*
4. *Develop and maintain an Alcohol Risk Management Plan specific to the Town that details roles and responsibilities of all of the Town's Directorates, to ensure an effective and integrated approach to the reduction of alcohol related harm within the community.*

Strategic Plan 2009-2014:

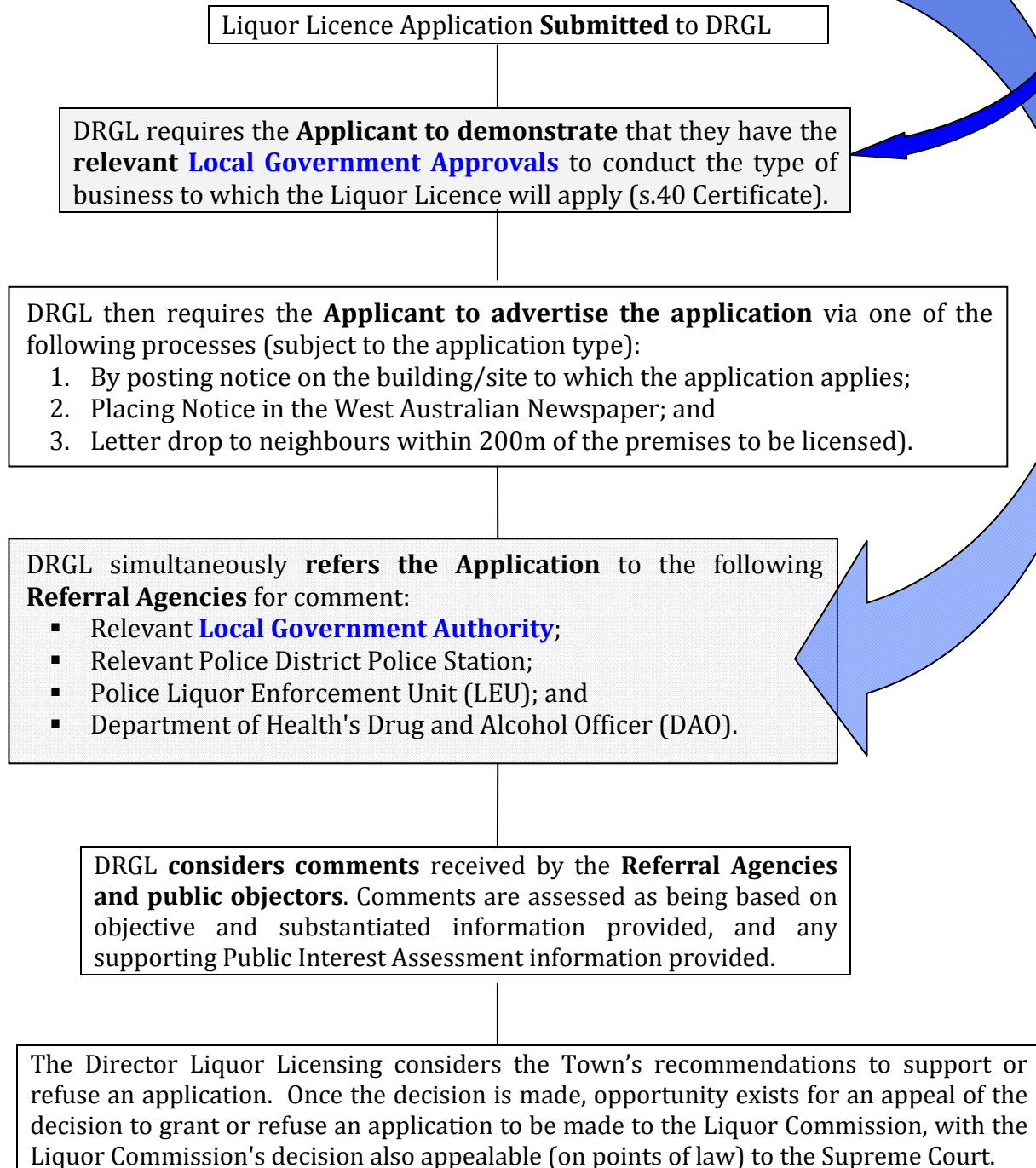
Strategic Plan Objectives:

- 1.1.4 *Minimise negative impacts on the community and environment*
- 1.1.6 *Enhance and maintain the Town's infrastructure to provide a safe, healthy, sustainable and functional environment.*
- 2.1.2 *Develop and promote partnerships and alliances with key stakeholders.*
- 4.1.3 *Plan effectively for the future*

PART 1 - Liquor Licensing and Licensed Premises

3. UNDERSTANDING THE LIQUOR LICENCE APPLICATION AND NOTIFICATION PROCESS – ‘Prevent Problems Before They Occur’

How can the Town influence the decision of the Licensing Authority to approve or reject a liquor licence application?



4. TYPE OF LIQUOR LICENCES

There are 10 different categories of liquor licence available in Western Australia. Each vary in permitted trading hours and the manner in which liquor can be supplied to the community. Nine of the licences operate indefinitely once granted. Only occasional licences are granted for specific short-term periods.

- Casino Liquor Licence <http://www.rgl.wa.gov.au/Default.aspx?NodeId=118> - Not applicable to the Town of Vincent
- Club - Club Restricted <http://www.rgl.wa.gov.au/Default.aspx?NodeId=119>
- Hotel - Hotel Restricted - Tavern - Small Bar <http://www.rgl.wa.gov.au/Default.aspx?NodeId=120>
- Liquor Store <http://www.rgl.wa.gov.au/Default.aspx?NodeId=121>
- Nightclub <http://www.rgl.wa.gov.au/Default.aspx?NodeId=122>
- Occasional <http://www.rgl.wa.gov.au/Default.aspx?NodeId=123> - Includes ETP's and AVP's
- Producer <http://www.rgl.wa.gov.au/Default.aspx?NodeId=124>
- Restaurant <http://www.rgl.wa.gov.au/Default.aspx?NodeId=125>
- Special Facility <http://www.rgl.wa.gov.au/Default.aspx?NodeId=126>
- Wholesaler <http://www.rgl.wa.gov.au/Default.aspx?NodeId=127> The Department will require Section 39 and 40 certificates.

Applications for specific Licences will be processed by the Department of Racing, Gaming and Liquor in accordance with their procedures on their website via www.rgl.wa.gov.au. In addition, Section E of the *Local Government Alcohol Management Package* (LGAMP) provides fact sheets and information that may be useful in understanding the liquor licensing process. This document can be accessed via www.dao.health.wa.gov.au.

There are also other liquor licence applications that are relevant to the business of the Town of Vincent, including:

- Extended Trading Permits (including trading hours, alfresco dining, extended areas).
- Liquor Without a Meal Permits.
- Add, vary, cancel applications.
- Alter/redefine licensed premises applications.

A stand alone policy and policy guidelines will be developed to guide the assessment of these applications.

5. FEES AND CHARGES - LIQUOR LICENCE APPLICATIONS

All liquor licence applications referred to the Town will be subject to an assessment fee as determined annually by the Council in accordance with the *Local Government Act 1995*.

The Town reserves the right to withdraw its support of any liquor licence approval should justifiable concerns arise. In such cases, no refund will be provided. In addition, the payment of an assessment fee is not a guarantee that an application will be approved.

6. BASIS FOR REFUSAL OF AN APPLICATION UNDER THE LIQUOR CONTROL ACT 1988

The Town's officers shall always endeavour to make decisions in relation to objective information available. However, it may be necessary on occasions where public sentiment must be considered, as forming a reasonable basis for objecting to an application. In such cases the Town reserves the right to decline applications where an application is considered not to be in the 'Public Interest'.

However, it is further acknowledged that the Department of Racing, Gaming and Liquor as the ultimate, determining authority, may chose to disregard any decision made by a local government authority with respect to an application under the *Liquor Control Act 1988*.

4.1 Criteria/basis for refusal of an application:

The Town of Vincent may refuse an application under the *Liquor Control Act 1988* based on any of the following reasons:

- i) The nature of the application is not in the Public Interest of the Town's Community (would need to be evidenced by statistics or other relevant information regarding existing harm or problems (e.g. amenity issues), objections received from members of the Town's Community in the form of a petition, written objections, number of public meeting attendees);
- ii) Failure to provide adequate information for assessment by the Town's officers in the required timeframe;
- iii) Failure to pay any application assessment fee set by the Town of Vincent under provisions of the *Local Government Act 1995*, irrespective of whether or not it relates to an application under the *Liquor Control Act 1988*;
- iv) The Town has received a request from the Police, Liquor Enforcement Unit or the Department of Health (Drug and Alcohol Office) to refuse the application;
- v) The applicant has been requested to attend Vincent Accord meetings, but has declined to do so without providing a valid reason;
- vi) Justifiable complaints have been received regarding unreasonable noise being emitted from the premises;
- vii) The applicant has a demonstrated track record of not complying with any reasonable request made by the Town's Officers to comply with the following legislation or any Council Policy, provided that the non-compliances are proportionate to the impact of declining approval;
 - *Liquor Control Act 1988*;
 - *Environmental Protection (Noise) Regulations 1997*;
 - *Food Act 2008*;
 - *Health (Public Building) Regulations 1992*;
 - *Town of Vincent Health Local Law 2004*;
 - *Local Government Act 1995*; and
 - *Local Government (Miscellaneous Provisions) Act 1960*.
- viii) Any other reason relative to the application, the Applicant or the premises to which the application applies that warrants the Town's officers declining the application.

NOTE: No application shall be refused based on personal prejudice or in circumstances where evidence of meeting the above requirements can not be demonstrated.

-End of Part 1-

PART 2 - General Management of Alcohol Related Issues

7. TOWN'S INFLUENCE OVER ALCOHOL ISSUES - COMMUNICATION AND REFERENCE GUIDE

The following table details all of the direct and/or indirect obligations that the Town's Directorates/Service Areas have with regard to Alcohol Management. The table ensures that all Service Areas are aware of their obligations with respect to alcohol management. Relevant legislation, policies and procedures are hyperlinked within the table for ease of use.

Relevance* - **DIRECT, INDIRECT or **INCIDENTAL** highlights the degree of impact the corresponding legislation, policy, procedure or guideline may have on the ability of the Town's Service Areas to positively influence alcohol related harm in the community.

TECHNICAL SERVICES DIRECTORATE	
Service Area Responsibilities	Legislation / Influencing Policies / Procedures and Guidelines
<p>The ASSET & DESIGN SERVICES Section will:</p> <ol style="list-style-type: none"> 1. Record waste management resources/costs associated with cleanup in relation to licensed premises activity; 2. Work cooperatively with licensees to maintain a high safety standard in and around licensed premises; 3. Endeavour to maintain street lighting and clear pathways in the vicinity of the licensed premises, Town facilities and at specific community functions where alcohol consumption is likely; 4. Support licensed premises in negotiations with Telstra to locate public telephones and/or taxi ordering phones near licensed premises so patrons can order taxis; and 5. Encourage licensed premises to have taxi ranks within the vicinity of licensed premises, where practicable. 	<p>Legislation</p> <ul style="list-style-type: none"> ▪ <i>Local Government Act 1995, (Relevance - INCIDENTAL) Parts & Divisions pertaining to the use of the Road Reserve.</i> ▪ <i>Road Traffic Code 2000 (Relevance - INDIRECT ~ Part 14, Division 1, Regulation 201, Pedestrians Not to Cause an Obstruction).</i> <p>Influencing Policy</p> <ul style="list-style-type: none"> ▪ Council Policy 2.2.9 - Street Lighting (<i>Relevance - INDIRECT ~ scope to improve the level of street lighting within vicinity of licensed premises</i>). ▪ Council Policy 2.2.7 - Street Parties (<i>Relevance - INDIRECT ~ Temporary Closure of Roads for Events & Suspension of Road Rules</i>).
	<p>Procedures and Guidelines (<i>Relevance - INCIDENTAL</i>)</p> <ul style="list-style-type: none"> ▪ Technical Services - General Customer Action Requests (CARs) – Parks & Engineering A001. ▪ Engineering Operations Maintenance of Footpaths EO007. After Hours "Call Outs" EO008. Street Cleaning Procedure & Requests EO011. ▪ Waste Management Waste Removal Service WM001.

The **PARKS & PROPERTY SERVICES Section** will:

1. Consider the suitability of approving liquor licence applications at Town owned facilities in accordance with the *Alcohol Policy* and this Plan [\[s. 59\(2\)\(b\)\]](#) of the *Liquor Control Act 1988*;
2. Record and maintain a register of licensees and organisations applying to use Town owned facilities;
3. Maintain a record of anti social behaviour and/or damage to Town owned facilities associated with local sporting club lessees, community group lessees and one-off function lessees;
4. Require and retain bond money for the hire/lease of Town owned facilities where considered appropriate;
5. Review lessee bond amount annually; and
6. Assist with the promotion of alcohol education messages, through the display of suitable educational material, as appropriate.

Legislation

- *Local Government Act 1995 (Relevance - **INDIRECT**)*
- *Liquor Control Act 1988 (Relevance - **DIRECT**)*

Influencing Policy

- [Council Policy 2.1.6](#) - *(Relevance - **DIRECT** ~ Parks and Reserves ~ Use and Sale of Alcohol).*
- [Council Policy 2.1.7](#) *(Relevance - **INDIRECT** ~ Parks and Reserves Conditions of Use and Hire).*

Procedures and Guidelines

- Nil.

DEVELOPMENT SERVICES DIRECTORATE

Service Area Responsibilities

The HEALTH SERVICES Section will:
As REQUIRED or PROVIDED by the Liquor Control Act 1988:

1. With the exception of [s.40](#) and [s.59\(2\)\(b\)](#) applications under the *Liquor Control Act 1988*, receive and coordinate the assessment of all Liquor Licence Applications requiring the Town's approval;
2. Receive and assess applications under [s.39](#) (Certificate of Local Health Authority) and [s.61](#) (ETP and OLL applications) of the Act;
3. With the approval of the Council, make submissions to the Director of Liquor Licensing regarding premises where complaints have been recorded in accordance with [s.69](#) or [s.117](#) of the Act;
4. Coordinate and Promote the Vincent Accord and maintain a relevant Vincent Accord Strategies in accordance with voluntary requirements in [s. 64](#) of the Act;

Legislation / Influencing Policies / Procedures and Guidelines

Legislation

- *Liquor Control Act 1988 [\[s. 39, s.61\]](#)(Relevance - **DIRECT**)*
- *Environmental Protection (Noise) Regulations 1997 (Relevance - **INDIRECT** ~ amplified music).*
- *Health (Public Building) Regulations 1992 (Relevance - **INDIRECT** ~ maximum accommodation numbers, safety, risk management, property maintenance).*
- *Gaming and Wagering Act 1987 [\[s 55\(3\)\(a\)\]](#) (Relevance - **DIRECT**).*

Influencing Policy

- [Council Policy 3.8.2 - Section 39](#) *(Relevance - **DIRECT** ~ to be revised and replaced with a Liquor License Assessment Policy).*
- [Council Policy 3.8.3](#) - *Concerts and Events - (Relevance - **DIRECT** ~references CP 2.1.6 and CP 2.1.7).*
- [Council Policy 3.8.9](#) - *Healthy Vincent (Relevance - **DIRECT** ~ reference to 'low risk alcohol use').*

<p><u>As determined APPROPRIATE in relation to alcohol related matters:</u></p> <ol style="list-style-type: none"> 5. Detail Public Building maximum accommodation limits in relation to all Liquor Licence approvals issued; 6. Maintain a record of complaints by residents/ratepayers regarding hygiene standards, anti-social behaviour, overcrowding or other relevant complaints/disturbances from licensed premises or licensed events and report at Vincent Accord Meetings; 7. Seek and take on new initiatives that endeavour to minimise harm to the local community associated with alcohol misuse; 8. Participate in community consultation as appropriate; and 9. Receive, assess and liaise with the Town's Planning Services Section in relation to all Gaming Permit Applications made under the <i>Gaming and Wagering Act 1987</i> - refer to s.55(3)(a). 	<ul style="list-style-type: none"> ▪ Council Policy 3.8.10 - <i>Food Act 2008</i> (Relevance - INCIDENTAL ~maintenance of food handling areas - kitchens, bars, coolrooms etc). ▪ Council Policy 4.1.5 - <i>Community Consultation Policy</i> (Relevance - INDIRECT ~ advertising of Liquor License Applications). ▪ Council Policy 3.5.21 - <i>Sound Attenuation</i> (Relevance - INDIRECT ~ minimise/prevent unreasonable noise emissions from developments upon completion). <p><u>Procedures and Guidelines</u></p> <ul style="list-style-type: none"> ▪ Vincent Accord Strategy 2009-2011 (Relevance - DIRECT). ▪ Draft Liquor Licence Referral Procedure (Relevance - DIRECT ~ to be combined with Section 39 Policy 3.8.2 in forming Liquor License Assessment Policy).
<p>The PLANNING, BUILDING AND HERITAGE SERVICES Section will:</p> <ol style="list-style-type: none"> 1. Assess all developments incorporating licensed premises and specify applicable conditions to prevent and minimise harm and amenity issues. Issues to be considered will include but not limited to; <ol style="list-style-type: none"> a) suitability of use in respect of location and zoning; b) trading hours and impact on amenity; c) type of entertainment (whether amplified music included), and impact on amenity; d) impact on residents and other members of the community; e) noise and noise management (in consultation with the Health Services Section); f) car parking (based on floor areas and numbers of persons); g) advertising (communication consultation); h) public safety; i) lighting; j) signage; k) landscaping; and l) security (i.e.: Designing Out Crime principles). 	<p><u>Legislation</u></p> <ul style="list-style-type: none"> ▪ <i>Liquor Control Act</i> (s. 40) (Relevance - DIRECT) ▪ Town Planning Scheme (Relevance - INDIRECT) <p><u>Influencing Policy</u></p> <ul style="list-style-type: none"> ▪ Council Policy 3.5.21 - <i>Sound Attenuation</i> (Relevance - INDIRECT ~ minimise/prevent unreasonable noise emissions from developments upon completion). <p><u>Procedures and Guidelines</u></p> <ul style="list-style-type: none"> ▪ Draft Sustainable Design Guidelines (Relevance - INDIRECT ~ crime prevention through designing out crime).

<ol style="list-style-type: none"> 2. Issue (and where necessary condition) Section 40 Certificates as required and provide a copy of Development Approvals to the DRGL for appropriate license conditions to be applied; 3. Provide comments to the Town's Health Services in relation to Ongoing Extended Trading Permits and One-off ETP's where amplified music in open space is proposed; and 4. Provide comments to the Town's Health Services in relation to all Gaming Permit Applications made under the <i>Gaming and Wagering Act 1987</i> - refer to s.55(3)(b). 	
<p>The CUSTOMER SERVICE Section will:</p> <ol style="list-style-type: none"> 1. Refer customers making enquiries in relation to Liquor Licence Applications to the relevant internal service area or external agency in accordance with the Communication and Referral Section of this plan. 	<p><u>Legislation</u> - Nil.</p> <p><u>Influencing Policy</u> - Nil.</p> <p><u>Procedures and Guidelines</u> - Nil.</p>
<p>The RANGER & COMMUNITY SAFETY SERVICES Section will:</p> <ol style="list-style-type: none"> 1. Refer to alcohol harm minimisation policy in ongoing development of safety and Crime Prevention Plan; 2. Provide feedback from Rangers and Community Safety Staff in terms of 'eyes on street' and alcohol issues observed in entertainment precincts by RCSS Employees; 3. Continue to implement supportive initiatives and strategies as developed through Safer Vincent, such as 'Party Bus registration for all party Buses to operate within the Town'; 4. Record alcohol-related incidents/matters where possible and report to Health Services, for inclusion on the Licensed Premises Compliant Register; 5. Uphold compliance in relation to parking and litter, including entertainment precinct areas; 6. Liaise with Local police on supportive and joint operations in relation to safety and alcohol related issues; and 7. Provide comments to the Town's Health Services in relation to Ongoing Extended Trading Permits and One-off ETP's where amplified music in open space is proposed. 	<p><u>Legislation</u></p> <ul style="list-style-type: none"> ▪ <i>Litter Act 1979</i> (Relevance - INCIDENTAL ~ illegal disposal of alcohol drink packaging, smashing of bottles etc). <p><u>Influencing Policy</u></p> <ul style="list-style-type: none"> ▪ Council Policy 3.9.1 - Community Policing (Relevance - DIRECT ~ work with Police and other agencies regarding community safety). <p><u>Procedures and Guidelines</u></p> <ul style="list-style-type: none"> ▪ Safety and Crime Prevention Plan 2007-2010 (Relevance - DIRECT). ▪ Party Bus Guidelines - related to the Vincent Accord (Relevance - DIRECT ~ puts procedures in place for the orderly management of large groups attending licensed premises within the Town).

CORPORATE SERVICES DIRECTORATE

Service Area Responsibilities	Legislation / Influencing Policies / Procedures and Guidelines
<p>The COMMUNITY DEVELOPMENT Section will:</p> <ol style="list-style-type: none"> 1. Promote alcohol free events within Town of Vincent; 2. Facilitate training for sporting clubs and community organisations through a relevant training provider in liquor licensing legislation compliance and responsible service of liquor; 3. Require community organisations that receive funding from the Town's through the Community Sponsorship Program for community events at which alcohol will be served, sold or consumed, to submit an alcohol management plan with their funding application; and 4. Provide appropriate referrals for those in need of intervention. 	<p>Legislation - Nil.</p> <p>Influencing Policy</p> <ul style="list-style-type: none"> ▪ Council Policy 1.1.5 - <i>Donations, Sponsorship and Waiving of Fees and Charges</i> (Relevance - INDIRECT ~ events that promote alcohol are ineligible for funding). ▪ Council Policy 1.1.6 - <i>Community Welfare Grants</i> (Relevance - INCIDENTAL ~ scope for assisting disadvantaged persons/groups affected by alcohol misuse). ▪ Council Policy 3.8.3 - Concerts and Events (Relevance - INCIDENTAL ~ references CP 2.1.6 and CP 2.1.7). <p>Procedures and Guidelines - Nil.</p>
<p>The LIBRARY AND LOCAL HISTORY SERVICES Section will:</p> <ol style="list-style-type: none"> 1. Provide and promote self help manuals, reference and referrals in relation to topics relating to alcohol dependencies; 2. Source and maintain a contemporary, evidence-based alcohol prevention/harm minimisation collection in relation to alcohol harm minimization strategies and provide the Town's officers with regular updates on new additions to the database; 3. Assist with the promotion and advertising of alcohol harm minimisation strategies, at the reasonable request of other service areas within the Town. 	<p>Legislation - Nil</p> <p>Influencing Policy</p> <ul style="list-style-type: none"> ▪ LISWA Collection Development Policy (Relevance - INCIDENTAL; the Town's Library is not prohibited under the state library policy to acquire self help publication on issues such as alcohol). <p>Procedures and Guidelines - Nil.</p>

ALL DIRECTORATES AND STAFF

Legislation / Influencing Policies / Procedures and Guidelines

Legislation

- *Local Government Act 1995.*
- *Road Traffic Act (driving under the influence of alcohol).*
- *Occupational Safety and Health Act 1986(Relevance - **INDIRECT** ~ safe work practices - not to work when affected by alcohol).*

Influencing Policy

- [Council Policy 4.1.29](#) - *Civic Functions/Meetings - Hospitality (Relevance - **INDIRECT**).*
- [Council Policy 5.6.16](#) - *Workplace Drug and Alcohol Use (Relevance - **DIRECT**).*

Procedures and Guidelines

- Nil.

8. COMMUNITY COMMUNICATION AND REFERRALS - ALCOHOL RELATED COMPLAINTS AND ENQUIRIES

The following table lists many of potential issues related to alcohol use. For enquiries, made to the Town regarding the various incident types, all officers shall refer customers to the relevant Service Provider.

Issue / Incident Type	Service Provider Contact
Drunk and Disorderly Behaviour	Police on 131 444 at the time of the offence.
Public Urination	Police on 131 444 at the time of the offence.
Littering	Police on 131 444 or Town's Rangers on 9273 6000 at the time of the offence.
Drink Driving / Reckless Driving	Police on 131 444 at the time of the offence.
Noisy Parties and Amplified Music	Police on 131 444 at the time of the offence and the Town's Health Services on 9273 6533 the next working day if an ongoing issue.
Property Damage (Private)	Police 131 444.
Property Damage (Public)	Police on 131 444 and the Town's Safer Vincent Coordinator on 9273 6000 during office hours.
One-off Antisocial Behaviour Incident	Police on 131 444.
Repeated Antisocial Behaviour Incidents	Police on 131 444 and the Town's Safer Vincent Coordinator on 9273 6000 during office hours.
Hazards on Public Land within the vicinity of Liquor Licensed Venues	Town of Vincent Asset and Design Services on 9273 6000 or for after hours Emergencies contact 9273 6061.
Hazards on Privately Owned Liquor Licensed Venues	The Licensee/Shift Manager of the respective Venue and The Town's Health Services on 9273 6533 the next work day.
Unsafe amenity (e.g. dark alleyways, designing out crime)	Contact the Town's Safer Vincent Coordinator on 9273 6000 during office hours.
Non-compliance with Liquor Licence Conditions	Liquor Licensing Division of DRGL on 9425 1888.
Objection to Liquor Licence Applications	Liquor Licensing Division of DRGL on 9425 1888 and Town of Vincent on 9273 6000 in case of Community Notification issued by the Town.
Assault	Police on 131 444.

-End of Part 2-

APPENDIX A ALCOHOL POLICY OBJECTIVES AND KEY ACTIONS 2010 2012

Strategy	Key Actions	Service Area
Objective 1 'Minimise the prevalence of alcohol related harm within the Town's community'		
Adhere to the Town's Alcohol Management Plan, upon development.	<ul style="list-style-type: none"> Develop and Obtain Council Approval. 	ALL
Support events that promote the "alcohol free" messages and practices.	<ul style="list-style-type: none"> Waive or heavily discount application fees. 	Heath Services/ Community Development Services *Requires CEO or Council approval
Restrict the sale, supply or consumption of alcohol where appropriate, at occasions or events on or around Town owned or managed property.	<ul style="list-style-type: none"> Community run events to be largely alcohol free Alcohol free areas to be provided at spectator facilities (where reasonable). 	Heath Services/ Parks and Property Services/ Community Development Services
Objective 2 - 'Reduce the negative health, social and economic costs associated with the misuse of alcohol in the community'		
Timely and appropriate acknowledgement and support to members of the community when complaints are received associated to licensed premises.	<ul style="list-style-type: none"> Maintain a 'licensed premises complaint register' for reporting at Vincent Accord Meetings; Develop standard acknowledgement letter to issue within 24 hours of receiving a complaint regarding licensed premises. Require feedback from licensed premises within 3 working days. 	ALL
Provide comment and/or recommendations of support or refusal to the Director of Liquor Licensing for all liquor license applications received for Town of Vincent comment or approval.	<ul style="list-style-type: none"> Develop a separate Policy specific to the assessment of all Liquor Licence Applications (Wagering approvals to be addressed also). 	Planning Building & Heritage Services/Health Services/Parks and Property Services.
Encourage responsible sale and consumption of alcohol throughout the Town via initiatives and membership of the Vincent Accord.	<ul style="list-style-type: none"> Promote appropriate consumption and patron behaviour through Accord initiatives (e.g. signage, slogans). 	Heath Services
Objective 3 - 'To acknowledge responsibilities and provide guidance to the Town's Officers in relation to their important role in the management of alcohol'		
Raise stakeholder and community awareness of this Policy and proactive initiatives of the Vincent Accord.	<ul style="list-style-type: none"> Annual Review of Vincent Accord Strategic Plan. 	Heath Services
Objective 4 - 'Develop and maintain an Alcohol Management Plan specific to the Town that details roles and responsibilities of all of the Town's Directorates, to ensure an effective and integrated approach to the reduction of alcohol related harm within the community'		
Engage in public consultation with community members and groups, local Police and other relevant agencies where appropriate.	<ul style="list-style-type: none"> Formalise communication plan and incorporate into AMP. Conduct an annual review of the Town's Alcohol Management Plan. 	Planning Building & Heritage Services/Heath Services/Safer Vincent Co-ordinator

APPENDIX B LIQUOR CONTROL ACT 1988 - SECTIONS APPLICABLE TO LOCAL GOVERNMENT

Section 39, Certificate*

Section 39 certificate confirms that the premises comply/can be made to comply/do not comply, with the *Health Act 1911*, the *Local Government Act 1995*, the *Local Government (Miscellaneous Provisions) Act 1960*, and laws relating to sewerage and drainage.

*see Section C, 9 Liquor licences, LGAMP recommended factors to consider.

Section 40, Certificate*

Section 40 certificate confirms that the premises comply/would comply with Planning Laws if consent was given by a nominated authority/do not comply with the relevant Planning Laws.

*see Section C, 9 Liquor licences, LGAMP recommended factors to consider.

Section 59(2)(b)

The applicant must obtain consent of the owner of the premises which includes those owned by the local government.

Section 61, Extended Trading Permits

Subsection (1)(d) relates to consultation with local government;

and

Subsection (2) relates to the need for consent from local government if the licence relates to road or a footpath

Section 64, Liquor Accords

Subsection 1 (b)(a) relates to local government and role in various Accords.

Subsection (3)(b)(a) refers to compliance with local government local laws on Aboriginal communities.

Section 69, Disposal of applications, and interventions generally

Subsection (4)(b) Local Government upon request to the Director of Liquor may receive copy of applications for grant or removal of a licence in relation to a hotel, nightclub, special facility or liquor store license.

Subsection (7)(a), (b) and (c) local government may intervene as to whether licence should continue, have an opinion about proposed alterations, or whether the granting of the licence may cause residents to suffer annoyance, disturbance or inconvenience.

Subsection (8) a person authorised by local government may intervene in proceedings before the licensing authority to make representations or provide evidence in relation to the *Health Act 1911*, sewerage and drainage issues or *Local Government (Miscellaneous Provisions) Act 1960*.

Section 73, General right of objection

Subsection (2) "where an application is required to be advertised, a right to object to the application is conferred on any person on any ground permitted by section 74".

Section 74, General grounds of objection

No objection shall be made except on one or more of the following grounds —
that the grant of the application would not be in the public interest; or

(b) that the grant of the application would cause undue harm or ill-health to people, or any group of people, due to the use of liquor; or

[(c)-(f) deleted]

that if the application were granted —

(i) undue offence, annoyance, disturbance or inconvenience to persons who reside or work in the vicinity, or to persons in or travelling to or from an existing or proposed place of public worship, hospital or school, would be likely to occur; or

(ii) The amenity, quiet or good order of the locality in which the premises or proposed premises are, or are to be, situated would in some other manner be lessened;

Section 95, Disciplinary Matters

Subsection (5)(c) a complaint may be made by a local government

Section 117, Complaints about noise or behaviour related to licensed premises

Subsection (2)(b) a local government may lodge a complaint with regard to a licensed premises in its district or an adjoining district.

Section 153, Enforcement

Subsection 2(b) If a local government has lodged an objection in relation to the issue of a licence it may see the adopted report of the licensing authority

Section 156, Duties of local governments

The Act provides that:

"(1) Every local government shall, as regards licensed premises in its district, exercise the same powers as are conferred, and carry out the same duties as are imposed, on it by any other Act with respect to unlicensed premises.

(2) Where the holder of a licence under this Act or any employee or agent of such a person is convicted of an offence on a prosecution commenced by an officer of the local government, the local government shall report that event and the nature of the offence to the Director.

(3) A local government is required to afford the licensing authority such assistance, by way of the examination of, and reporting on, licensed premises, as the licensing authority may reasonably require."

Section 175, Regulations

Subsection (1b)(b) The Minister may recommend the making of regulations under subsection (1a) only if, after consultation with each local government in the district of which any part of the proposed restricted area would be situated;

APPENDIX C GAMING AND WAGERING COMMISSION ACT 1987 SECTIONS APPLICABLE TO LOCAL GOVERNMENT

Section 55, Approved Premises

Subsection (3) "The Commission may in relation to any premises require an applicant for the grant of approval or the holder of the approval to produce to the Commission —

(a) a report from the local government of the district in which the premises are situated, certifying that those premises conform, or if not conforming in what respect they do not conform, to the *Health Act 1911*, to the relevant Act relating to sewerage and drainage and to any subsidiary legislation made under those Acts or the *Local Government Act 1995*;

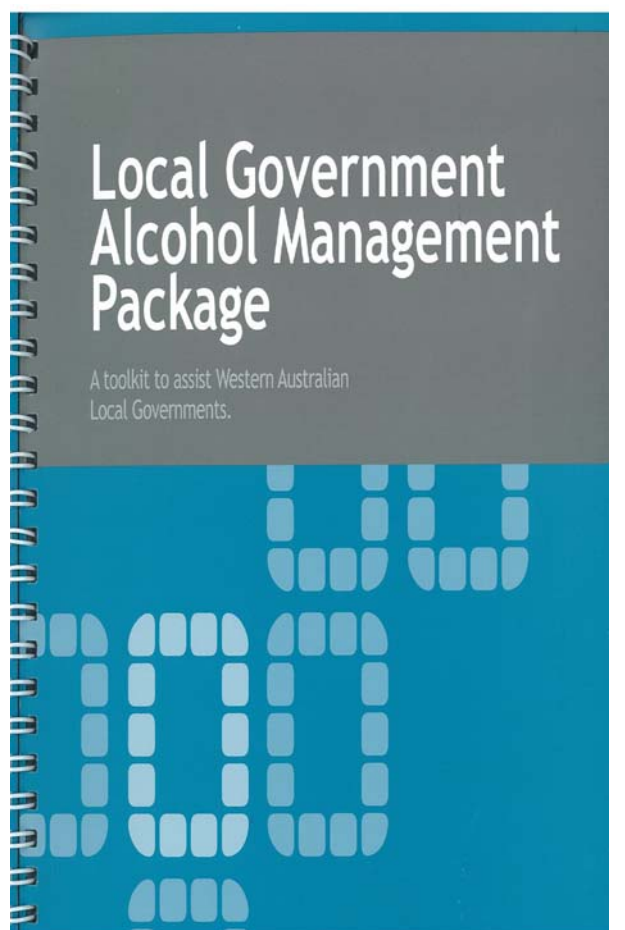
(b) a report from the authority responsible for local planning matters affecting the premises certifying —

- (i) that the proposed or actual use does not contravene any written law relating to local planning; or
- (ii) where a proposed use will not contravene such a written law only if a specified consent be given, whether or not that consent will be given and as to any conditions relating to that consent;

APPENDIX D LOCAL GOVERNMENT ALCOHOL MANAGEMENT PACKAGE - 'A Toolkit to Assist Western Australian Local Governments'

LINK - http://www.walga.asn.au/about/policy/community_development/documents/Local%20Government%20Alcohol%20Managment%20Package.pdf

A copy of this document is also available from the Town's Health Services.



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