

1.0 AUTHORITY

The Alcohol Harm Prevention Policy (the Policy) applies to all types of Council decision making on alcohol-related matters, drawn from duties, obligations and powers under the following:

- *Local Government Act 2020*
- *Public Health and Wellbeing Act 2008*
- *Liquor Control Reform Act 1998*
- *Planning and Environment Act 1987*

The Policy aligns with the Council and Wellbeing Plan 2021-25:

- Strategic Objective 1.4 – An accessible built environment that supports diverse, current and future community needs.
- Strategic Objective 3.1 - A healthy and self-determined community where everyone feels valued, supported and safe.

2.0 INTENT

The purpose of the Policy is to guide Council's decision-making in relation to the supply and consumption of alcohol on the Mornington Peninsula. The Policy aligns with Council's commitment to enhancing safety and amenity as well as improving community health and wellbeing outcomes, while fostering economic vitality.

3.0 SCOPE

The Policy applies to all Council staff, volunteers and Councillors and relates to:

- The review of planning permit applications or enforcement of planning permit conditions involving the use of land to supply or consume alcohol.
- Correspondence from the Victorian Liquor Commission or relevant government body for Council to provide comment on an application for a liquor licence or permit.
- Matters pertaining to local laws related to alcohol prohibition and infringements.
- The promotion, supply and consumption of alcohol at Council owned facilities, managed events and programs.
- Initiatives and advocacy which aim to improve the health and wellbeing of the Mornington Peninsula community by reducing or preventing alcohol-related harms.

The Policy does not replace the existing processes linked to permit applications and planning scheme amendments governed by the *Planning and Environment Act 1987*, nor does it replace the objection procedures for liquor licensing applications under the amended *Liquor Control Reform Act 1998*.

4.0 GOVERNANCE PRINCIPLES

Under the *Local Government Act 2020*, Council must give effect to the following overarching governance principles:

- Council decisions are to be made and actions taken in accordance with the relevant law;
- Priority is to be given to achieving the best outcomes for the municipal community, including future

generations;

- The economic, social and environmental sustainability of the municipal district, including mitigation and planning for climate change risks, is to be promoted.

5.0 POLICY STATEMENT

Alcohol is the primary drug of concern in Victoria and the Mornington Peninsula. In 2021, alcohol accounted for more than half of all drugs of concern on the Mornington Peninsula which is highest of all the local government areas in the Bayside Peninsula catchment.

In relation to the supply and consumption of alcohol, Federal and State governments hold the most powerful levers of change, such as regulating price, availability, licensing, and marketing, and providing vital services such as police and health systems.

Local government plays an integral role in addressing alcohol related harm such as improving community safety and amenity, managing availability and promotion, and supporting individuals to access support.

This Policy recognises that alcohol consumption is a socially accepted activity, and that responsible supply and service of alcohol can support the vitality of our local economy by generating employment and profit in the viticulture, niche manufacturing, hospitality and tourism industries.

Council prioritises the enhancement of community health and wellbeing on the Mornington Peninsula through acting within its delegated authority to embed alcohol harm prevention principles in its decision-making around the supply and consumption of alcohol in the municipality.

This Policy defines alcohol harm prevention by three key principles, adapted from the National Alcohol Strategy 2019-2028:

- **Supply Reduction** - Controlling managing or regulating the availability of alcohol and advocating for improved options that prevent harm.
- **Demand Reduction** – Prevent or delay the uptake of alcohol consumption and reduce the misuse of alcohol in the community.
- **Harm Reduction** – Reduce the adverse health, social and economic consequences of alcohol-related harm for the individual, their families and the wider community.

This Policy will be implemented under four key areas, with responsibilities being upheld by relevant teams across the organisation:

1. Planning and Liquor Licensing
2. Regulation and Enforcement
3. Open Space, Community Infrastructure and Events
4. Advocacy and Service Delivery

Implementation of the Policy is overseen by the Community Partnerships unit via an internal Alcohol Harm Prevention Working Group comprising:

- Local Laws
- Strategic Planning
- Planning Services
- Economic Development

- Youth Services
- Facility Operations and Event Permitting
- Sports Development

The Policy is supported by key stakeholders including but not limited to local Liquor Licence Forums/Accords (led by Victoria Police), alcohol and other drugs and other community services, advisory committees, and community groups.

5.1 Planning and Liquor Licensing

- 5.1.1 Assess and determine land use applications for planning permits to use land to sell or consume liquor as required under the *Liquor Control Reform Act 1998* and outlined under the Victorian Planning Provisions and the Mornington Peninsula Planning Scheme, noting that the Victorian Planning Provisions consideration of clustering/cumulative impact are due to be removed in July 2025.
- 5.1.2 Considering the duties, obligations and powers conferred to Council under the *Planning and Environment Act 1987* only, identify suitable locations of certain types of licensed premises.
- 5.1.3 Assess and provide a response to the Victorian Liquor Commission (VLC) for applications to grant, vary, transfer and relocation of liquor licences and BYO permits in accordance with the *Liquor Control Reform Act 1998*.
- 5.1.4 Consider undertaking Social Impact Assessments (SIA) on liquor licence applications received from VLC where there may be higher risk of harm i.e. - packaged liquor outlets, areas of lower socio-economic status, venues seeking to serve alcohol for extended periods and/or late night/early mornings. The SIA will include considerations of the following criteria:
- Trading Hours – with recommendation that licensed premises close at 11pm and recognition that trading after 1am contributes to increased alcohol consumption and significant local impact.
 - Outlet Type – studies propose that hotel, bars and nightclubs with late night licenses as well as sporting clubs are more likely to be associated with alcohol-related harms.
 - Venues/Locations – within the evidence, inadequate access to public transport is a contributing factor to alcohol-related harm. Additionally, licensed venues with few chairs, shelves or similar furniture result in patrons being forced to stand, which may foster increased alcohol consumption, leading to increased harms.
- 5.1.5 To have regard to creating safe and healthy environments in the design of streetscapes in the immediate vicinity of venues providing for the sale and/or consumption of alcohol.
- 5.1.6 To embed alcohol harm prevention considerations in Council's Municipal Public Health and Wellbeing Plan.

5.2 Regulation and Enforcement

5.2.1 Ensure appropriate licensing for sporting, recreational or community facilities which sell or provide alcohol.

5.2.2 Continue to enforce the Mornington Peninsula Planning Scheme and planning permit conditions relevant to the sale and consumption of alcohol.

5.2.3 Work collaboratively with Victoria Police to regulate trading hours, licence types, patron numbers, land use mix and density of licences as well as participation in Liquor Licence Forums and Accords.

5.2.4 Share relevant information with Victoria Police to support them in their responsibility for enforcing the local law relating to open containers of alcohol in public.

5.2.5 Manage infringements issued by Victoria Police under Council's Community Amenity Local Law 2022 and maintain statistical data.

5.2.6 Support licensees ongoing compliance with Responsible Service of Alcohol (RSA), liquor licence permit conditions and 'good neighbour' obligations.

5.2.7 Develop and uphold local laws that protect safety and amenity of public places and support enforcement through Authorised Officers.

5.2.8 Work with the Victorian Liquor Commission in their overall regulation of premises for the supply and consumption of alcohol.

5.3 Open Space, Community Infrastructure and Events

5.3.1 Oversee and maintain public places and local amenity to manage perceptions of safety and wellbeing particularly in areas where there is a high density of liquor licences.

5.3.2 Provide a clear and transparent approach to decision-making on alcohol provision and consumption at sporting clubs and community facilities on Council owned or managed land, including:

5.3.2.1 Actively encourage sports clubs to reduce alcohol-related harm through a range of measures, including:

- Discounts on Council licence fees for clubs not holding a liquor licence;
- Mandatory Good Sports Level 3 accreditation for sports clubs with a liquor licence to be eligible for discounts on Council licence fees or incentives;
- A ban on serving, selling or consuming alcohol in licensed areas during junior club activities (as detailed in Council's Sports Management Policy); and
- Not permitting advertising of alcohol products on seasonal tenants' signage (as per the Council's Signage Policy).

5.3.2.2 Prohibit the serving of alcohol at any programs or by any hirers of the Council owned and run Mornington Community House and Mount Martha Community House. This provision is clearly stated in Council's Room Hire Terms and Conditions document and forms part of the venue description on Council's website.

5.3.4 Provide a clear and transparent approach to decision-making on alcohol provision and consumption at events on Council owned or managed land.

5.3.4.1 For events held on Council owned managed land, the Hirer must complete Council's Event Application Form (Bookable Checklist) which mandates:

- A valid VLC liquor licence must be obtained and a copy provided prior to the event, if applicable.
- An event permit issued by Council and the VLC Liquor License is required.
- Both permits must be on display at the event and all conditions adhered to.

5.3.4.2 In Council managed halls, the Hirer must:

- Apply for and obtain the appropriate licence from the VLC;
- Provide a copy of the licence to Council before the hire period;
- Display the licence at the venue during the Hire Period along with any required liquor signage; and
- Upon request, if the booking is deemed High Risk, complete and lodge a Party Safe form with Victoria Police and provide evidence of registration at least 4 weeks prior to their booking and engage security personnel.

5.3.5 All Council-led events, programs and meetings are to be delivered alcohol free, unless permission has been granted by the CEO or a Director.

5.4 Advocacy, Collaboration and Service Delivery

5.4.1 Work in collaboration across the organisation and in partnership with key stakeholders, including people with lived experience, to have an integrated approach to alcohol harm prevention.

5.4.2. Deliver and/or contribute to evidence-based initiatives aimed at addressing alcohol-related harm, promoting healthier alcohol consumption and empowering those seeking to reduce or abstain from alcohol consumption as guided by the VicHealth Alcohol Cultures Framework.

5.4.3 Exchange information and resources and participate in local, regional and State-wide advocacy initiatives that aim to address alcohol related harm and increase provision of related services.

5.4.4 Monitor relevant global and local trends, research and policy contexts pertaining to alcohol-related harm.

5.4.5 Adopt a harm reduction approach in the delivery of Council services to community (e.g. – Child and Family Health, Youth Services, Libraries) to ensure community health and wellbeing is first priority.

5.4.5.1 Maintain partnerships with relevant community service organisations to enable successful referral pathways.

5.4.5.2 Work in partnership to deliver community education and training focused on alcohol harm reduction.

5.4.5.3 Deliver and promote alcohol and drug free events and programs to encourage alternative forms of recreation and leisure.

5.4.5.4 Adopt of a harm reduction approach in the delivery of Council's annual 'Schoolies' event.

6.0 HUMAN RIGHTS CHARTER COMPATIBILITY

This Policy has been assessed as being compatible with *the Charter of Human Rights and Responsibilities Act 2006 (Vic)*.

7.0 ASSOCIATED DOCUMENTS

- Victorian Planning Provisions
- Mornington Peninsula Shire (MPS) Planning Scheme
- MPS Community Amenity Local Law 2022
- MPS Commercial Activities on Footpaths Policy 2008
- MPS Sports Management Policy 2023
- MPS Signage Policy 2012
- MPS Council and Wellbeing Plan 2021-25
- MPS Community Facility Hire Policy 2023
- MPS Employee Code of Conduct 2022
- MPS Conditions of Hire – Community Facilities
- MPS Community Centre Room Hire – Terms and Conditions
- MPS Event Permits – Terms and Conditions
- MPS Event Permits – Quick Reference Guideline

8.0 DEFINITIONS

Alcohol-related harm	Harm arising from the misuse and abuse of alcohol, including: a) Harm to minors, vulnerable persons or communities, including groups within communities b) Family violence c) Anti-social behaviour, including personal injury or property damage
Application Form	Also known as Application Form (Bookable Checklist) which was developed by the Mornington Peninsula Shire to be completed by community members/groups requesting use of Council Land for events. Includes questions on alcohol management.
Authorised Officer	Means any Person appointed under Section 224 and 224A (Members of Victoria Police) of the <i>Local Government Act 1989</i>
Council	Means the Mornington Peninsula Shire
Council Land	Means land, buildings or facilities owned, occupied or vested the in the Council or in respect of which Council has the care and management and to which the public has access whether an entry fee is paid or not and includes a public space.



Good Sports	Australian Alcohol and Drug Foundation program aimed at preventing alcohol and other drug harm in sports clubs.
Liquor	Has the same meaning as the meaning as the <i>Liquor Control Reform Act 1998</i> .
Liquor Licence Forum/Accord	The Forum refers to an entity made up of liquor industry representatives, Victoria Police, community members and other stakeholders that develops strategies to improve the operation of licensed premises and reduce alcohol-related harms. The Accord is the written document agreed to by all stakeholders.
Licensed Premises	A venue that is licensed to sell alcohol for consumption on or off the premises or allows members of the public to bring alcohol on to the premises.
Packaged Liquor Outlets	Refers to the supply of liquor in sealed containers specifically for consumption off the retail premises, for example, bottle shops, a 'drive-thru', licensed supermarkets.
Party Safe	Victoria Police program aimed minimising the risks of anti-social behaviour, violence, intoxicated guests, or gate crashers at parties.
VLC	Victorian Liquor Commission, a statutory body responsible for alcohol. A successor from the previous Victorian Commission for Gambling and Liquor Regulation.

9.0 POLICY SPONSOR

The Manager Community Partnerships is responsible for overseeing the implementation and review of the Alcohol Harm Prevention Policy.

10.0 DOCUMENT CONTROLS

Council will review the Alcohol Harm Prevention Policy within four years or earlier as required.

10.1 Document Version Table

Document Version Control				
Version	Section	Revision Description	Date Revised	Approved by
1	All	Alcohol Management Policy 2017 – reviewed and updated to reflect shift to alcohol harm prevention focus.	June 2024	Manager, Community Partnerships



2	All	Alcohol Harm Prevention Policy	To be reviewed by June 2028	Manager, Community Partnerships
3	All	Adoption of Alcohol Harm Prevention Policy 2025	March 2025	Council

Administrative Updates

It is recognised that, from time to time, circumstances may change leading to the need for minor administrative changes to this document. Where an update does not materially alter this document, such a change may be made administratively. Examples include a change to the name of a Council department, the change to an existing policy or document referred to in this policy, and minor updates to legislation and the like which does not have a material impact. However, any change or update which materially alters the document must be by resolution of Council or endorsement of the Executive Team.