

# CORPORATE POLICY



**SUBJECT: Liquor Licensing Policy at Council Recreation and Sporting Reserves**

**OVERVIEW:**

The purpose of this document is to record Council’s policy as it relates to sporting and recreation organisations, operating out of Council owned facilities, applying for liquor licenses.

**RESPONSIBILITIES:**

**Directors** for the proper application of this Policy across Divisional employees.  
**Managers** for the co-ordination, interpretation and strategic management of this Policy.  
**Employees** for observance of their responsibilities under this Policy.

**RELATED MATERIAL:**

**Pro forma lease and licence documents**

**RELATED LEGISLATION:**

Liquor Control Reform Act 1998.

**REVIEW**

Annually, or as initiated by CEO

**APPROVED BY:**

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Chief Executive Officer

Date: ..... 2010

Policy Ref: 2010

Issue No

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## **1 INTRODUCTION**

The Department of Justice - Liquor Licensing is responsible for the effective licensing and regulation of the sale and distribution of alcohol within Victoria. As the majority of sporting reserves and facilities within the municipality are located on Council owned land, Council becomes a key stakeholder for any liquor licensing applications. Under the Liquor Control Reform Act 1998, Council as the land owner has the opportunity to object to submissions that may detract from, or be detrimental to, the amenity of the area.

There is a growing evidence base that the broader community has expectations that sports and sport clubs will be active contributors towards social change. Government at all levels now see sports and sport organisations as social change agents.

Monash City Council recognises that local sporting and recreation organisations are an integral part of society and provide services to the local community that enhances the quality of life for all. Council acknowledges the impact alcohol abuse has on people's lives – violence, road accidents, self-harm and chronic illness. Consequently Council is very supportive of programs and initiatives that promote responsible drinking and work with the community to address the harm alcohol abuse can cause.

Many sporting and recreation organisations rely on their social activities and programs as part of their strategy to derive major funds.

Any lease/license agreements in operation, which include provisions in conflict with this policy, shall preside over this policy.

## **2 POLICY OBJECTIVES**

The primary objective of this policy is to assist Council in taking a proactive and consistent approach to liquor licensing at Council recreation reserves. Council has an obligation to the local community to minimise associated risks relating to alcohol consumption while at the same time providing a framework that supports the broader community.

## **3 SCOPE OF THE POLICY**

This policy applies to any lease or licence of Council Property for the purpose of sporting or recreational activities.



## 4 DEFINITIONS

In this Policy:

**Council Property** means any land, improvements or buildings owned or controlled by Council including Crown land where Council acts as the Committee of Management

**Tenant** means an authorised person or incorporated body that has, or is proposing to enter into a lease or licence with Council for the use of Council Property.

**Junior** means those persons under the age of 18.

## 5 GENERAL PRINCIPLES

### 5.1 Application of the Policy

The Policy applies to liquor licence applications from community-based sporting and recreation clubs, operating under a licence agreement, or lease agreement, for the sale and/or consumption of alcohol on a Council recreation reserve.

### 5.2 Policy Principles

The following Principles underpin the Policy:

1. The primary purpose of active recreation reserves is for the conduct of organised sporting activities.
2. Council advocates that recreation reserves should provide a family-friendly environment for club members, spectators and other visitors.
3. Facilities on Council recreation reserves cannot be used for private social functions, events or activities at which alcohol is planned to be served and consumed.
4. Approved activities and uses of Council recreation reserves by clubs will be carried out in a lawful manner, and in accordance with the conditions of tenancy approved by Council (such as the hours of use of facilities).
5. The authorised sale and consumption of alcohol on Council recreation reserves will be in accordance with the requirements under the *Liquor Control Reform Act 1998*, and any subsequent amendments.



### 5.3 Conditions of Approval

The following conditions provide the framework by which liquor licence applications for the sale and consumption of alcohol at Council recreation reserves will be considered by Council Officers.

1. Due to the nature and commercial focus of a full liquor licence (including the ability to sell packaged liquor for consumption off premises), Sporting Clubs *will not* be granted permission to apply for a **Full Club Licence**.
2. Clubs that use Council facilities on a regular basis for the consumption of alcohol will be required to hold a **Restricted Club Licence**.
3. Clubs that hold 6 or fewer separate events annually must apply for a **Temporary Limited Licence** for each block of 3 events as per the requirements of Liquor Licensing.
4. All alterations to the premises required to obtain a licence must be approved by Council and be fully funded by the Club.
5. Applications will not be supported for the sale and consumption of alcohol at times when junior sporting teams will be training or participating in matches and special events, except at those times when senior players will be training or playing concurrently with the junior aged players.
6. Applications for the sale and consumption of alcohol will only be supported on days and evenings when there are organised club training activities or matches scheduled, and on such occasions will be restricted to occur within the following times:
  - Monday - Friday: 4.30pm – 11.00pm
  - Saturday: 12 midday – 12 midnight
  - Sunday: 12 midday – 10.00pm.
  -It should be noted that clubs will not necessarily be approved all of these days/times, and Council Officers will consider applications based on their correlation to the Policy and on-field activities
7. A Club may apply to Council's Recreation Services for a liquor licence for hours that fall outside those specified in this policy. These applications will be determined on an individual basis for conformance with the Club's tenancy conditions, town planning requirements (if applicable) and the Club's proposed method of operation.
8. Applications for the sale and/or consumption of alcohol at recreation reserves will be confined to pavilions and clubrooms. This would include defined outdoor areas that have existing barriers or balustrades.



9. Clubs that apply for liquor licenses must also hold a current certificate of registration under the relevant Food Act.
  10. Club/organisations sharing a facility will have to consult with all tenants and receive written confirmation before consent will be given.
  11. In the event of conditions of use being breached by the Club, Council may recommend to the Licensing Authority that the permit be revoked or amended.
  12. Council will consider on an individual basis applications for special occasions and events.
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## 6 IMPLEMENTATION OF POLICY

This policy will apply to all new leases and licences (including renewals) following adoption of the policy by Council.

