

Liquor Licensing at Council

Active Recreation Reserves Policy



Approval Body:	ELT
Endorsement Date of Current Version:	09 July 2024
Current Version:	2.0 <i>Council policy documents change from time to time and it is recommended that you consult the electronic reference copy on Casey Council's Website to ensure that you have the current version. Alternatively, you may contact Customer Service on 9705 5200.</i>
Compulsory Review Cycle:	4 years
Review Date:	09 July 2028
Responsible Department:	Active Communities
Responsible Team:	Sport & Connected Communities
Relevant Legislation:	Liquor Control Reform Act 1998
Relevant Council Documents:	Council Plan 2021-2025 Active Recreation Reserves Seasonal Tenancy Agreement Casey City Council Local Laws Health and Wellbeing Strategy 2021-25 Casey Planning Scheme
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1. Purpose and Intent

The Liquor Licensing at Council Active Recreation Reserves Policy is a means by which Council can proactively manage the sale and consumption of alcohol at Council Active Recreation Reserves. The policy aims to:

- Minimise amenity impacts from the consumption of alcohol at Council Active Recreation Reserves on other users of the reserves and on those residents who live adjacent to or close to Active Recreation Reserves.
- Contribute to minimising the harm arising from the misuse and abuse of alcohol, including a reduction in the number of incidents being reported to Council by residents and/or the Victoria Police of anti-social behaviour occurring at Council Active Recreation Reserves during and after sporting events or associated club activities. Recognise and reduce risk to person(s) using Council Active Recreation Reserves where alcohol is being consumed.
- Establish a consistent approach for Council officers when considering liquor licence applications for the sale and consumption of alcohol on Council Active Recreation Reserves.
- Demonstrate to users of Council Active Recreation Reserves proactive and responsible land management in regard to the consumption of alcohol.
- Ensure the consumption of alcohol at Council reserves does not compromise the primary purpose of the reserves, which is for activities that promote community health and wellbeing.

2. Scope

Casey City Council currently manages in excess of 80 Active Recreation Reserves that are utilised by sporting clubs predominantly for the purpose of providing organised sporting activities for the benefit of the broader community.

Clubs should understand that the right to sell alcohol at a Council-owned or managed Active Recreation Reserves is a privilege and that Council supports the authorised sale by clubs who work in partnership with Council, the community and local authorities to ensure alcohol is consumed and sold responsibly.

Sporting clubs occupying a Council-owned or managed active recreation reserve can apply for a renewable limited liquor licence for the sale and consumption of alcohol at the site where they hold a seasonal allocation.

The Victorian Liquor Commission (VLC) issues liquor licences under the Liquor Control Reform Act 1998. All applications for liquor licences made by sporting clubs for the sale and consumption of alcohol at Active Recreation Reserves are referred to Council by the VLC for assessment and comment. While not all of the principles within this policy can be considered as a valid objection under the Liquor Control Reform Act 1998, it is within the scope of Council, as landowner, to ensure these are met.

Most classes of licence for Active Recreation Reserves only require approval from the VLC; however, there are several that require planning approval under the Planning Scheme. The applicant should obtain advice from Council's Statutory Planning service on if a planning permit is required or not, prior to seeking approval from the VLC. If a planning permit is required, a planning permit would need to be applied for with Council's Statutory Planning service prior to seeking approval from the VLC.

The Policy applies to liquor licence applications from community-based sporting clubs, operating under an Active Recreation Reserve Seasonal Tenancy Agreement, for the sale and consumption of alcohol on Council owned or managed active Active Recreation Reserves. The policy does not apply to the following:

- Applications received for liquor licences for purpose-built social and gaming facilities on Active Recreation Reserves, operating under a lease or licence agreement or under a specific planning permit.

- Temporary licences for events held in public parks or halls by members of the public or other community groups.

3. Definitions

Key term	Definition
Council	means Casey City Council, being a body corporate constituted as a municipal Council under the Local Government Act 2020
Councillors	means the individuals holding the office of a member of Casey City Council
Council officer	means the Chief Executive Officer and staff of Council appointed by the Chief Executive Officer.
Club activity	refers to organised club events that contribute and complement the delivery of the sports program run by the club. This could include a variety of activities, including fund raising activities, presentation nights, social events, fetes and community days
Community Space	A dedicated multi-purpose space supporting various club activities that serve the members of the club and the local community. Also known as a Social Space, Community Room, Club Rooms, Club House.
Council Active Recreation Reserves	means all spaces and facilities within a recreation reserve either owned by Council or managed by Council on behalf of another organisation or group, and which are utilised for formal, organised sporting activities
Junior	means people under the age of 18 years
Licensed areas	means the areas on a recreation reserve where the consumption of alcohol is permitted
Liquor Control Reform Act 1998	means the primary piece of legislation regulating the supply and consumption of liquor in Victoria and any subsequent amendments
Packaged liquor	refers to alcohol contained in a sealed container, bottle or can
Planning scheme	means the Casey Planning Scheme, which applies policies and provisions for the use, development, and protection of land in the Casey City Council, as set out under the Planning and Environment Act 1987, including provisions relating to the use of land to sell or consume liquor (Clause 52.27)
Point of Sale	A point of sale is a temporary setup where sporting clubs can serve liquor to patrons at different locations around the field during the game. Also known as a temporary booth.
Policy	means the Casey Liquor Licensing at Council Active Recreation Reserves Policy
Red Line Plan	A red line plan defines the area where alcohol can be supplied.

Renewable limited licence	A renewable licence authorises a club to supply alcohol: - to drink on the premises only (take away alcohol is not permitted) - from a point of sale during sporting events for drinking outside the licensed premises (for example, from a temporary bar in the stands while watching a match). Written approval from the landholder required.
Restricted club licence	A restricted club licence authorises a club to supply alcohol to: - club members to drink on the premises - guests of members to drink on the premises only - people attending a function or club event for drinking on the premises.
RSA	means the Responsible Service of Alcohol, which is an accredited course endorsed by the VLC
Seasonal allocation	an agreement that provides seasonal use of an active recreation reserve or part thereof referred to as an Active Recreational Reserve Seasonal Tenancy Agreement
Special events	means sporting finals, inter-league matches, round-robin tournaments, lightning premierships and other events approved by Council
Temporary limited liquor licences	Allow clubs to supply alcohol at a one-off event or a series of one-off events.
VLC	means the Victorian Liquor Commission, which are responsible for the issuing of liquor licences in the state of Victoria

4. Policy

The following Principles underpin this policy and Council's conditions for approval:

1. The primary purpose of Active Recreation Reserves is for the conduct of organised sporting activities.
2. Council advocates that Active Recreation Reserves and associated facilities such as pavilions and clubrooms should provide a family-friendly environment for club members, spectators and other visitors.
3. Facilities on an Active Recreation Reserves Tenancy Agreement at a Council-owned or managed Active Recreation Reserves cannot be used for private social functions, events or activities (e.g. birthday parties, weddings, engagements etc.) at which alcohol is planned to be served and consumed.
4. Activities and uses of Council-owned or managed Active Recreation Reserves by clubs will be carried out in a lawful manner, and in accordance with the conditions of the approved seasonal allocation.
5. The authorised sale and consumption of alcohol on Council owned or managed Active Recreation Reserves will be in accordance with the requirements of the Liquor Control Reform Act 1998, and any subsequent amendments, and, where relevant, the Planning Scheme.
6. Council supports the authorised sale and consumption by clubs who work in partnership with Council, the community and local authorities to ensure alcohol is consumed and sold responsibly.
7. The sale of alcohol is one of a number of methods of revenue raising available to sporting clubs; however, Council encourages clubs to consider and employ alternative methods of revenue raising to ensure long-term club financial viability
8. Sporting clubs using Council-owned or managed Active Recreation Reserves who wish to raise revenue through alcohol sales should actively promote a culture of safe, moderated and

responsible drinking of alcohol. Council strongly encourages sporting clubs to join the, 'Good Sports Program' and maintain accreditation through the Australian Drug Foundation.

9. Violence and anti-social behaviour arising from the misuse and abuse of alcohol at Council-owned or managed Active Recreation Reserves will not be tolerated Council aims to work in partnership with sporting clubs, Victoria Police and the Victorian Liquor Commission (VLC) to ensure that the negative impacts of alcohol abuse are minimised or do not occur at all. However, where violence or anti-social behaviour does occur due to the misuse or abuse of alcohol, the club responsible during the time of the event or function will risk having their ground allocation restricted or terminated altogether, or Council initiating enforcement action under the Liquor Control Reform Act 1998.

1.1. Conditions of Approval

The following conditions provide the framework by which liquor licence applications to the VLC for the sale and consumption of alcohol at Council Active Recreation Reserves will be considered by Council officers, upon their referral to Council by the VLC.

1.1.1. Junior Sports Clubs

As specified in the Liquor Control Reform Act 1998, applications will not be supported for the sale and consumption of alcohol at Council Active Recreation Reserves that are used primarily by junior sporting clubs. However, Council would consider applications for one off club activities or event throughout the season.

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.

1.1.2. Trading Hours

Applications for the sale and consumption of alcohol will only be supported on days and evenings when there are organised club activities, events, and matches. Applications must be for no more than three weekday training events and necessary weekend matches.

Hours we expect you to apply within are:

- Monday - Wednesday: 7.00 pm - 9.30 pm
- Thursday: 7.00 pm - 10.30 pm
- Friday: 7.00 pm - 11.00 pm
- Saturday: 12 midday - 11.00 pm
- Sunday: 12 midday - 9.30 pm

Clubs will not be approved to operate seven days a week, and Council officers will consider applications based on their correlation to the Policy and on-field activities.

1.1.3. Public Holidays

Applications for the sale and consumption of alcohol will only be considered on public holidays for organised club activities, events and matches where the predominant activity doesn't focus on persons under the age of 18 years, and occasions will be restricted within the following times only:

- Monday - Sunday: 12 noon to 10.00 pm

If a club wishes to sell or consume alcohol outside of the permitted days and hours of an approved liquor licence, a Temporary Limited Licence will be required from the VLC; however, Council will only grant approval for hours applied for within the spread of hours above.

1.1.4. Red Line Plan

Applications for the sale of alcohol at Active Recreation Reserves will be confined to the community space and to designated point-of-sale within predetermined licensed areas. Where the opportunity permits in community space, the sale of alcohol will be separated from the canteen.

If a club wishes to sell or consume alcohol outside of the confines of a community space and outside the trading hours outlined, a Temporary Limited Licence will be required from the VLC, and will be subject to the following conditions in addition to those associated with the Temporary Limited Licence conditions under the Liquor Control Reform Act 1998:

- a) All alcohol will be sold and consumed in opened pre-packaged form.
- b) No alcohol will be sold and consumed in glass bottles, glass containers or glasses.
- c) Sale and consumption of alcohol will be restricted to authorised point of sales location(s).
- d) Appropriate staff trained in the Responsible Serving of Alcohol will be present to monitor the sale, supply and consumption of alcohol in licensed areas.
- e) Signage will be displayed clearly indicating the entry and exit points for licensed and unlicensed areas.
- f) Effective delineation methods, including the use of barriers, will be utilised to ensure a licensed area can be effectively supervised.

1.1.5. Licensed are Location Considerations

The specific location, and conditions for the operation of licensed areas will be determined by Council officers in consultation with the club and Victoria Police, where appropriate, having regard to the following factors:

- a) The proximity to a playground or school
- b) The proximity to a designated barbecue/picnic facility
- c) The proximity to Australian Rules football behind posts and soccer goals
- d) The proximity to a public toilet
- e) The proximity to a residential dwelling
- f) The proximity to a defined recreation reserve car park or non-specified car parking areas.

1.1.6. Club Match Day Monitoring

Only alcohol purchased through the club operating on the Council active recreation reserve can be consumed by members both home and visiting, or their associates. The home club shall be responsible for enforcing this either directly by club members, or indirectly by externally appointed personnel.

1.1.7. Lease and Licensed Clubs

Council will consider applications for liquor licences from lease or licensed clubs in accordance with this policy and stipulated conditions for approval. However, it is acknowledged these clubs operate under a distinct management model, guided by the specific conditions outlined in their individual lease and or license agreement with Council.

1.1.8. Compliance

There are three statutory bodies responsible for building a culture of compliance and reducing alcohol-related harms in the liquor licensing industry:

- Victorian Liquor Commission (VLC)
- Victoria Police

- Casey City Council.

The Compliance and Audit area of the VLC works in partnership with the industry, Victoria Police, the Commission and other Government agencies to build a culture of compliance in the liquor licensing industry. The Victoria Police have a responsibility for the ongoing enforcement of liquor laws and play a significant role in addressing issues of concern in the ongoing operation of licensed premises.

As a local government authority, the Casey City Council may initiate disciplinary proceedings against a licensee on a number of grounds including that the licensee has conducted the business under a licence in a manner that is detrimental to the amenity of the area or that the licensee has contravened a condition of the licence.

Examples of non-compliance may include the following:

- Unlicensed selling of alcohol
- Selling or consuming alcohol outside of the permitted hours
- Public drunkenness
- Anti-social behaviour in and around Council Active Recreation Reserves that can be attributed to the consumption of alcohol during a club function or activity
- The disturbance of the neighbourhood amenity
- The supply of alcohol to an intoxicated person
- Permitting a drunken or disorderly person on licensed premises
- The supply of liquor to an underage person
- Allowing an underage person on a licensed premises other than as permitted
- Selling or consuming alcohol outside of the permitted licensed areas.

1.2. Responsibilities

Who	What
Governance Department	Send annual report to the Audit and Ethics Committee
Active Communities	Ongoing management of Active Recreation Reserves. Sports Development, Sport Grants, Training, Awards and Volunteer Support.
Compliance	Infringements issued under Casey City Council Community Local Law 2023
Planning	Issue planning permits Respond to referrals from the VLC

1.3. Breaches

Sporting clubs operating under a 'Active Recreation Reserve Seasonal Tenancy Agreement' at a Council owned or managed active recreation reserve who have been non-compliant and/or have

breached the conditions of their licence and this policy, will be subject to the following which may include (but not be limited to):

- Mandatory training for committee and/or members.
- Ineligible for funding opportunities through Council for a period time.
- Additional reporting requirements to Council with set timeframes imposed.

Recommendations being made by Council to the Director of Liquor Licensing for the suspension or cancellation of a licence under section 90 or 95 of the Liquor Control Reform Act 1998

Reporting any misuse and abuse of alcohol, anti-social behaviour, or criminal activity to:

- the Victoria Police and the VLC

Infringements being issued for breaches of the Casey City Council Community Local Law 2023 may be issued in certain circumstances.

Review/and or termination of Active Recreation Reserve Seasonal Tenancy Agreement with Council.

5. Relevant Forms

Title	Link
Active Recreation Reserve Seasonal Tenancy Agreement	Resources for your sports club City of Casey
Active Recreation Reserve Allocation and Fair Access Policy	Active Recreation Reserve Allocation and Fair Access Policy City of Casey
Casey City Council Community Local Law 2023	Local Laws City of Casey
Casey Planning Scheme	Casey Planning Scheme - Ordinance

6. Document History

Date approved	Change Type	Version	Next Review Date
09 July 2024	Major Changes	2.0	09 July 2028
17 October 2017	Document initiation	1.0	17 October 2021

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