

**POLICY NAME:** (REVIEW)  
ALCOHOL REGULATION ON PUBLIC LAND

**POLICY REF:** A02

**MEETING ADOPTED:** 22 May 2014  
Resolution No. 2205/33

**POLICY HISTORY:** 280110/25



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### 1 OBJECTIVE

The objectives of this policy are:

- a) to provide guidelines on the basis for implementing alcohol regulations on [public land](#); [and](#)
- b) to provide an authority for the implementation of future changes to alcohol regulation in public areas that may be required to meet changing conditions.

### 2 POLICY

#### 2.1 Alcohol-Free Zones generally

- a) Ballina Council will continue to work with the NSW Police and respond to community concerns with regard to the management of alcohol consumption in public places.
- b) Ballina Shire has [Alcohol-Free Zones](#) in Ballina, Lennox Head, Wardell and Alstonville, and will continue to maintain these Alcohol-Free Zones.
- c) Should Alcohol-Free Zones be required in other locations within the shire, consideration will be given to such requests and any comments from the NSW Police, and a report on such requests will be prepared for consideration by Council.
- d) To assist with the operation of the Alcohol-Free Zone in Lennox Head, Ross Park and the surrounding public reserve are designated as Alcohol Prohibited areas 24 hours a day, every day.

#### 2.2 Sports fields and sporting events

All sports fields and surrounding reserves are Alcohol Prohibited areas. This declaration will make sporting events more family friendly, with the consumption of alcohol limited to areas of the reserve that have been licensed for the sale of alcohol. This declaration will assist the clubs in meeting their licensing obligations by ensuring the only alcohol that is consumed at a sporting event must be purchased from the licensed bar and consumed in the licensed area.

#### 2.3 Delegation to the General Manager

- a) Given the changeable nature of public behaviour and in order to respond to changes, Council will provide delegated authority through this policy to the General Manager to put in place [Alcohol Prohibition](#) in accordance with section ~~632(2)(e)~~ [632A\(4\)](#) of the *Local Government Act 1993* in locations experiencing problems relating to the consumption of alcohol.
- b) This may involve the imposition of a total prohibition of the consumption of alcohol, if deemed necessary.

### 2.4 Special events

- a) On nominated days such as ANZAC Day, New Year's Eve, New Year's Day, Australia Day and during special events, Council may impose Alcohol Prohibition in a park or reserve where problems have been experienced, or to prevent the consumption of alcohol at events where it is deemed inappropriate to consume alcohol.
- b) Such declarations will be for a specific time period and will be removed when the event or holiday has finished. Such declarations will be advertised prior to the date of the Alcohol Prohibition, and details of the prohibition will be signposted in the reserve.

## 3 BACKGROUND

The NSW Government has made clear its determination to tackle the growing problem of anti-social behaviour and alcohol-related violence in our community. The Ballina community has further endorsed this concern regarding public security in a Satisfaction Survey that was carried out by Council.

The excessive consumption of alcohol in public places results in anti-social behaviour and can lead to violence and damage to both private and public property.

In order to assist the Police and respond to the community's requests to manage the problems associated with such behaviour, regulations on the consumption of alcohol in public places have been implemented in Ballina Shire.

There are two forms of alcohol regulation that are available to manage alcohol consumption in public areas. These are Alcohol-Free Zones and Alcohol Prohibition.

### 3.1 Alcohol-Free Zones

The principal object of an Alcohol-Free Zone is to prevent disorderly behaviour caused by the consumption of alcohol on public roads, footpaths or in public car parks in order to improve public safety.

Alcohol-Free Zones provide an early intervention measure to prevent the escalation of irresponsible street drinking to incidents involving serious crime.

Alcohol-Free Zones have been implemented in the Ballina, Lennox Head, Wardell and Alstonville CBDs.

### 3.2 Alcohol Prohibition

Pursuant to section 632(2)(e) 632A(4) of the *Local Government Act 1993*, Council can prohibit the carrying and/or consumption of alcohol in public areas such as parks, reserves and beaches by the placing of signs prohibiting these activities.

Council has in place a prohibition on the carrying and/or consumption of alcohol in all public areas within the shire from 10.00 pm to 7.00 am every day.

While Ballina Shire has in place these regulations prohibiting the consumption of alcohol in public places, there is a need to adapt to the changing patterns of behaviour and to have in place a more flexible means of adapting to such changes.

Council also needs to balance the regulation of alcohol in reserves and consideration of the majority of the community who are responsible in their consumption of alcohol.

#### **4 DEFINITIONS**

**Alcohol-Free Zone:** Applies to public roads, footpaths or public car parks that have been declared as Alcohol-Free Zones in accordance with the [Ministerial Guidelines on Alcohol-Free Zones 2009](#). This declaration prohibits the carrying and consumption of alcohol in these places. Alcohol-Free Zones are enforced by the Police. This regulation can only apply to roads, footpaths and public car parks.

**Alcohol Prohibition:** The prohibition of carrying and/or consumption of alcohol in a designated reserve or park, which is implemented by resolution of Council pursuant to section ~~632(2)(e)~~ **632A(4)** of the *Local Government Act 1993*. This regulation cannot be used to regulate the consumption of alcohol on roads, footpaths and in public car parks.

**Council:** Ballina Shire Council

**Public land:** Land under the ownership or care and control of Council.

#### **5 SCOPE OF POLICY**

This policy applies to community members.

#### **6 RELATED DOCUMENTATION**

Related documents, policies and legislation:

- a) *Local Government Act 1993*
- b) *Crown Lands Act 1989*
- c) [Ministerial Guidelines on Alcohol-Free Zones 2009](#).

#### **7 REVIEW**

The Alcohol Regulation on Public Land policy will be reviewed at least every four years.