

Policy Name	Dry Area
Policy Number	CD08
Responsible Section	Community Development
Responsible Department	Community Development
Date Last Adopted	23 January 2024
Date of Next Review	January 2027
Applicable Legislation	Liquor Licensing Act 1997 Liquor Licensing (Dry Areas – Long Term) Variation Regulations 2007
Related Governance Documents	Conditions of Hire – Reserves By-Law No. 3 – Local Government Land
City Plan Theme	Community

1. PURPOSE/OBJECTIVE

The purpose of a Dry Area is to reduce anti-social behaviour associated with excessive alcohol consumption and to promote family friendly areas within the City, to help achieve this Council has designated Dry Areas in accordance with the *Liquor Licensing Act 1997*.

To achieve this Council has identified and designated Dry Areas throughout Council in accordance with the Liquor Licensing Act 1997.

2. SCOPE

This policy applies to all Dry Areas in the City of Port Adelaide Enfield and outlines the process and considerations for seeking a new Dry Area, removing a Dry Area or granting an exemption to an existing Dry Area. This policy extends to event organisers hosting events on Council owned or managed land and public roads.

3. POLICY

Section 131 of the *Liquor Licensing Act 1997* provides for the prohibition of the consumption of possession of liquor in a specified public place. The prohibition may operate continuously or at specified times.

All Dry Areas within the City of Port Adelaide Enfield have been declared by notice published in the South Australian Gazette (refer attachments 1-9).

Dry Areas are required to be clearly signposted and monitored. The monitoring and enforcement of Dry Areas is undertaken by South Australian Police (SAPOL) or an authorised officer. Council are not deemed to be authorised officers for this purpose and hence are not permitted to enforce designated Dry Areas.

3.1 Designated Dry Areas

The City of Port Adelaide Enfield has four continuous Designated Dry Areas which are established under Section 131 of the *Liquor Licensing Act 1997*.

The Designated Dry Areas are as follows:

- Blair Athol Area 1 (refer map attachment 1);
- Kilburn Area 1, 2 and 3 (refer map attachment 2,3 and 4);
- Port Adelaide Area 1 and 2 (refer map attachment 5 and 6);
- Semaphore Area 1, 2 and 3 (refer map attachment 7, 8 and 9).

Council may seek to establish new designated Dry Areas in accordance with the legislation and taking account 3.2 and 3.3 below.

3.2 Short-Term Dry Areas

Council may, in accordance with Section 131 of the Liquor Licensing Act 1997, seek to declare a Short-Term Dry Area for a period not exceeding 48 hours by notice in the Gazette.

Short-term Dry Areas are intended to assist in managing alcohol related problem and anti-social behaviour associated with a particular event or time of year, at a specific location.

In determining whether or not to make an application for a short-term Dry Area Council should give consideration to:

- The advice of SAPOL and any other relevant stakeholders;
- The impact on non-offending community members and groups; and
- Whether a Dry Area would aid SAPOL, businesses or the community

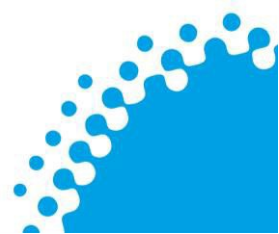
3.3 Long-Term Dry Areas

Council may, in accordance with Section 131 of the Liquor Licensing Act 1997, make an application to the Minister or Commissioner to have an area declared a long-term Dry Area.

Long-Term Dry Areas may be put in place to prevent alcohol related problems and anti-social behaviour associated with excessive alcohol consumption or address persistent or ongoing concerns of this nature.

In determining whether or not to make an application for a long-term Dry Area Council should give consideration to:

- The advice of SAPOL and any other relevant stakeholders;
- Whether or not a Dry Area is likely to reduce or minimise the risk of alcohol related problems or anti-social behaviour;
- Whether sufficient other strategies to address alcohol-related and anti-social behaviour have been attempted;
- The impact on non-offending community members and groups; and
- Whether a Dry Area would aid SAPOL, businesses or the community.



3.4 Dry Area Exemption

The grounds, information and process for seeking a Dry Area Exemption shall be set out in the Dry Zone Guidelines and updated from time to time as necessary.

Exemptions will not apply to the following Dry Areas:

- Blair Athol Area 1
- Kilburn Area 1, 2 or 3.
- Semaphore Area 3

3.5 Removal of a Dry Area

A Dry Area should be retained as long as it is reasonably required. This period may be indefinite, however there may be circumstances which give rise to a Dry Area no longer being required. This may include, for example, where the usage of the area has significantly changed, the area is developed or community use significantly alters.

In determining whether or not to make an application to remove a designated Dry Area Council and its Administration should give consideration to:

- Community feedback;
- The advice of SAPOL and any other relevant stakeholders;
- Altered use of the area or intended future usage; and
- Any other relevant considerations.

4. ROLES AND RESPONSIBILITIES

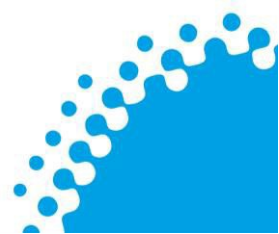
Council is responsible for:

- Endorsing a Dry Area Policy;
- Endorsing changes to the Dry Area Policy or Guidelines which significantly alter the intent or operations;
- Deciding whether or not to make an application for a new Dry Area; and deciding whether or not to make an application to remove a Dry Area.

Council Administration is responsible for:

- Developing and updating the Dry Area Guidelines
- Preparing reports to Council as required by the Policy and Guidelines
- Gathering evidence, preparing and submitting an application for declaration of a new Dry Area or removal of an existing proclaimed Dry Area
- Providing the Commissioner of Police with a copy of the Notice published in the Gazette declaring a Short-Term Dry Area
- Procuring, installing and maintaining accurate signage at all designated Dry Areas

The Community Development Manager is responsible for the oversight and review of this Policy.



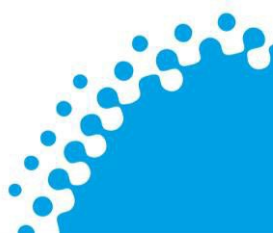
5. DEFINITIONS

Dry Area – A Dry Area is an area where the consumption or possession of liquor is prohibited.

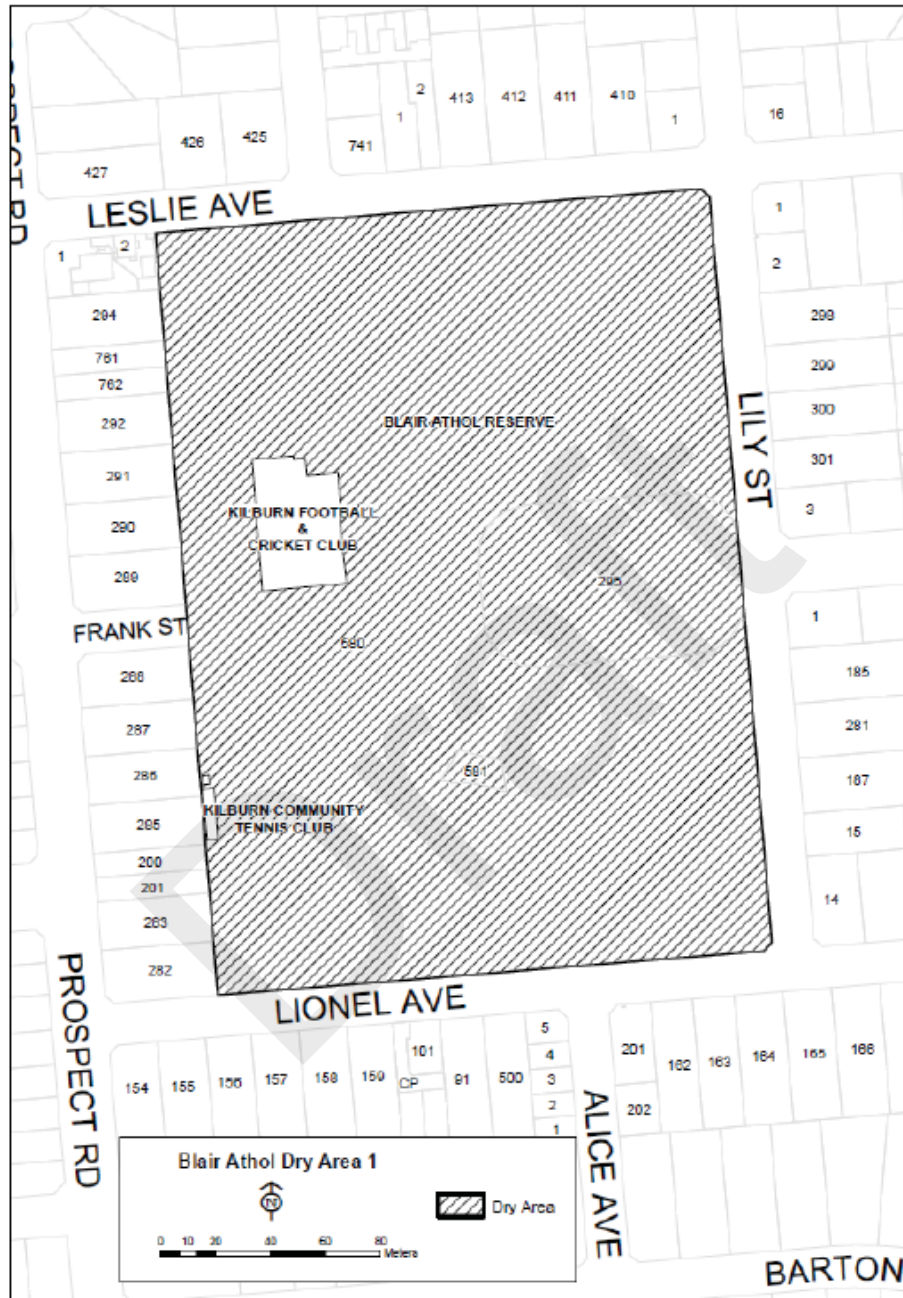
Exemption – A period in which the prohibition of alcohol does not apply.

Short Term - -. A Short-Term Dry Area designated by Council for up to 48 hours. A Short-Term Dry Area can only take effect once a Notice is published in the Gazette.

Long-Term - A long-term Dry Area designated by the Commissioner for a period of up to 14 days or by the Minister for a period exceeding this.

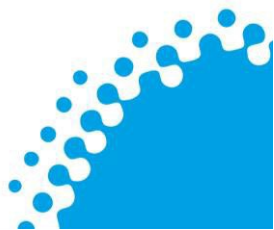


Attachment 1 Blair Athol Dry Zone Area 1



Made by the Attorney-General

On 6 January 2020

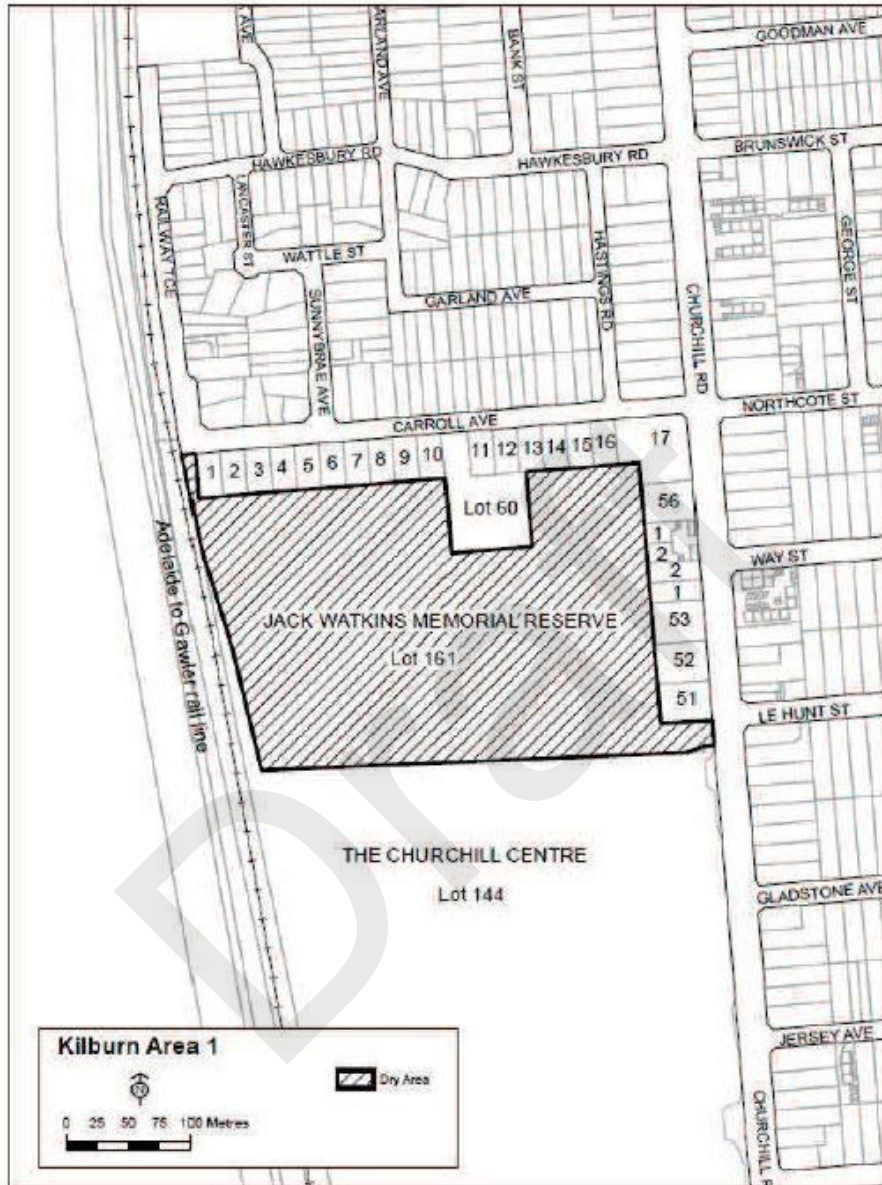


Attachment 2 Kilburn Area 1

16 May 2017

THE SOUTH AUSTRALIAN GOVERNMENT GAZETTE

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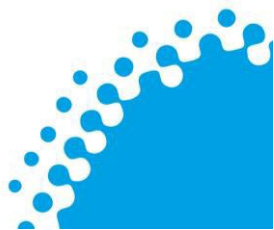


Made by the Minister for Consumer and Business Services on 9 May 2017.

Attachment 3 Kilburn Area 2



Made by the Attorney-General
on 6 June 2018

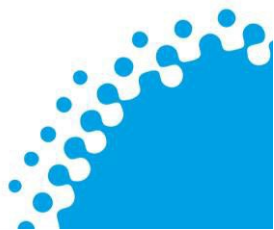


Attachment 4 Kilburn Area 3

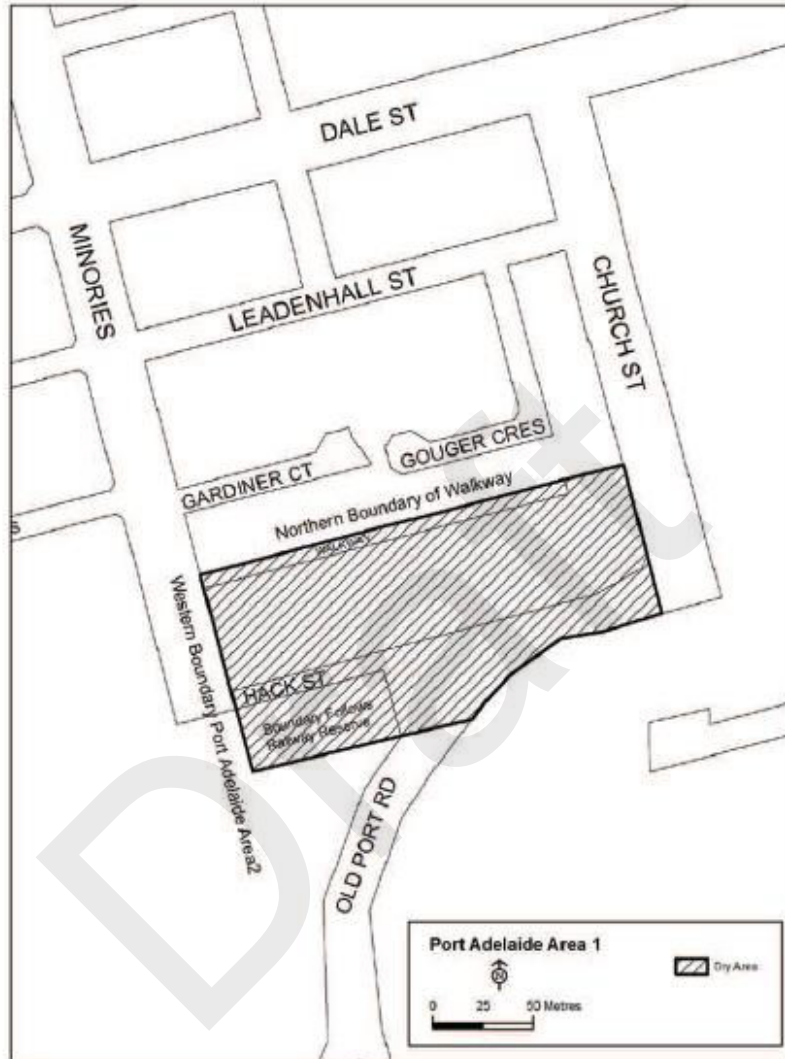


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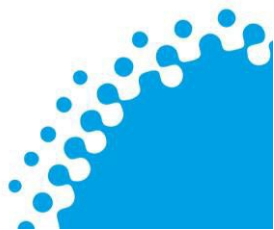
on 6 June 2018



Attachment 5 Port Adelaide Area 1



Made by the Minister for Consumer and Business Services
on 18 November 2016

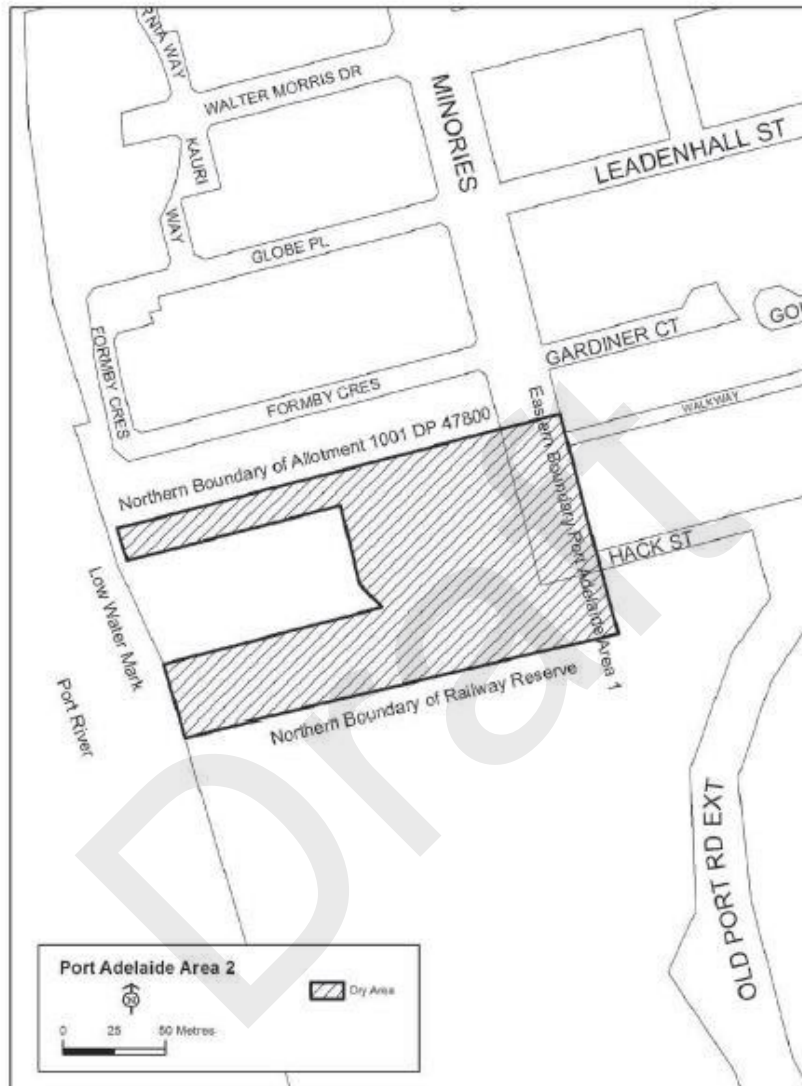


Attachment 6 Port Adelaide Area 2

1 December 2016

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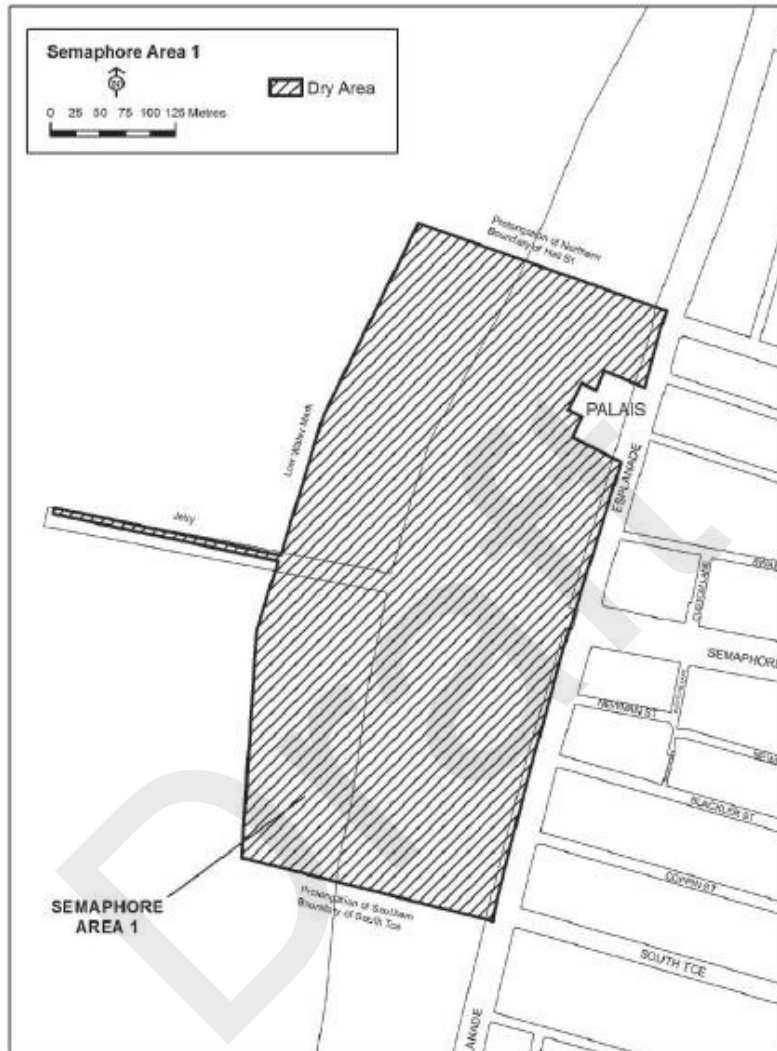
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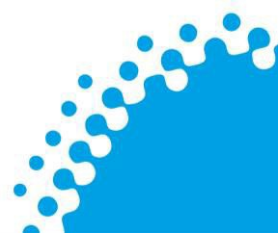
Made by the Minister for Consumer and Business Services

on 18 November 2016

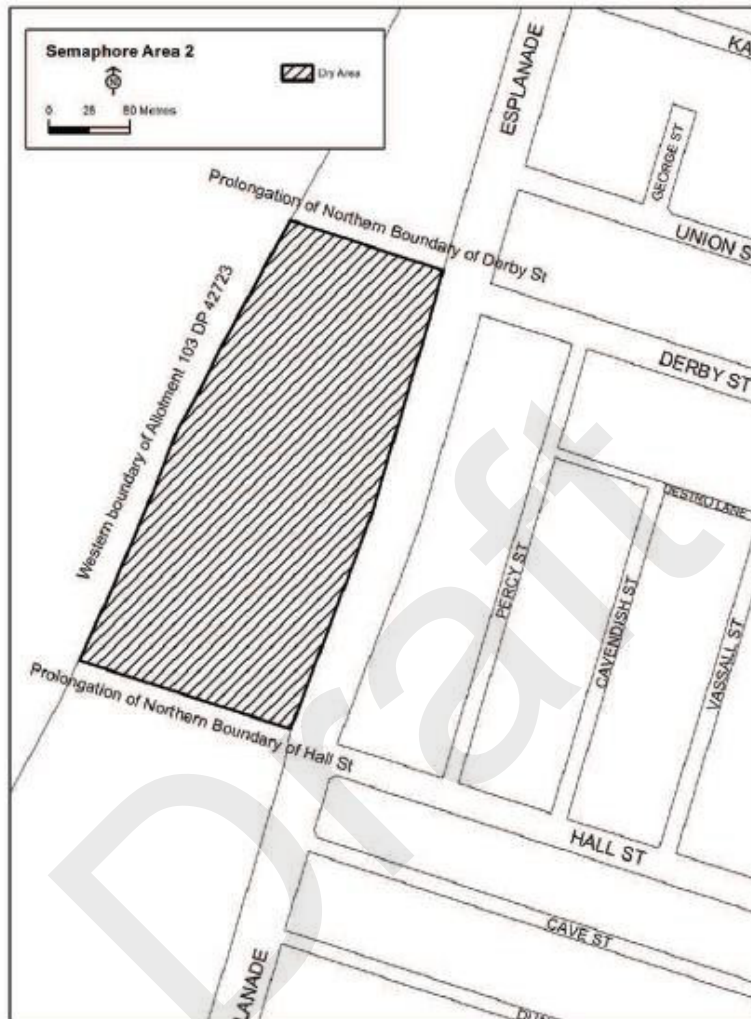
Attachment 7 Semaphore Area 1



Made by the Minister for Consumer and Business Services
on 18 November 2016



Attachment 8 Semaphore Area 2



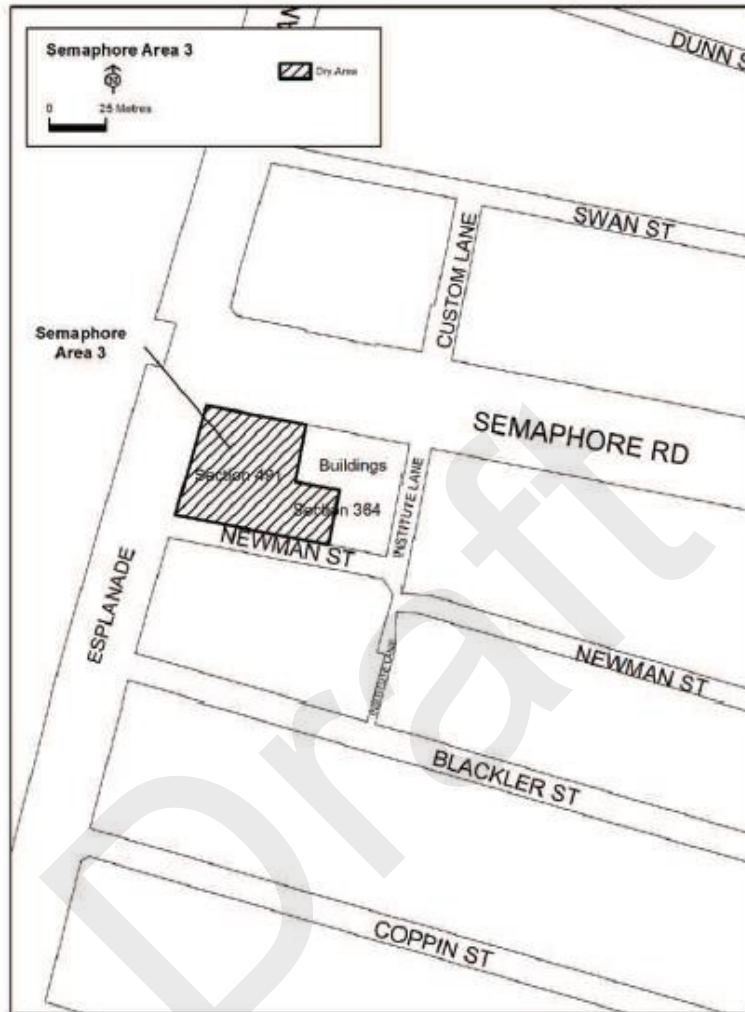
Made by the Minister for Consumer and Business Services
on 22 November 2016

Attachment 9 Semaphore Area 3

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THE SOUTH AUSTRALIAN GOVERNMENT GAZETTE

1 December 2016



Made by the Minister for Consumer and Business Services

on 22 November 2016