

Relevant Information for Council

FILE: X128576 **DATE:** 24 April 2026

TO: Lord Mayor and Councillors

FROM: Kirsten Morrin, Executive Director Legal and Governance
Emma Rigney, Executive Director City Life

THROUGH: Monica Barone PSM, Chief Executive Officer

SUBJECT: Information Relevant To Item 8.3 – Public Exhibition - Outdoor Alcohol Restrictions

For Noting

This memo is for the information of the Lord Mayor and Councillors.

Purpose

To provide Council with advice as to the options available regarding the decision to publicly exhibit the validly received applications for outdoor alcohol prohibited areas and alcohol free zones.

Background

At the meeting of the Community Services and Facilities Committee on 20 April 2026, Council sought advice regarding the obligation to exhibit proposals or whether Council could determine to not place proposals on public exhibition (following an assessment of the application).

Upon reviewing the legislation (Local Government Act 1993 – sections 632A and 644), staff have determined that it is possible to interpret the relevant provisions of the Act to mean that there is discretion as to whether the proposal be placed on public exhibition.

However, for the purposes of this report, and in the interests of procedural fairness, it is recommended that all currently received proposals be placed on public exhibition, in accordance with the current practice.

Note that Office of Local Government's Ministerial Guidelines on Alcohol-Free Zones (August 2025) - refer Attachment A, have also been considered when reviewing the applications.

Existing process

Council staff currently receive applications for outdoor alcohol restrictions and review them against the criteria set out in the Act and the Ministerial Guidelines. Where an application is found to be validly made correspondence is issued to the applicant to advise that their application will be placed on public exhibition and then considered by Council. All applicants in the report currently before Council have received correspondence to advise that their applications will be placed on public exhibition, in accordance with past practice.

Future process

Given the discussion of this matter by the Community Services and Facilities Committee on 20 April 2026, staff will review the current process regarding the receipt of applications for outdoor alcohol restrictions and will present a revised process for consideration of Council when this matter is reported back.

Memo from Kirsten Morrin, Executive Director Legal and Governance / Emma Rigney, Executive Director City Life

Prepared by: Kirsten Morrin, Executive Director Legal and Governance

Attachments

Attachment A. Ministerial Guidelines on Alcohol-Free Zones (August 2025)

Approved

P. M. Barone

MONICA BARONE PSM

Chief Executive Officer