

ITEM 5. PROPOSAL TO ESTABLISH ALCOHOL FREE ZONES**FILE NO: A05/00074-05****SUMMARY**

At its meeting on 23 October 2006, Council endorsed a range of new Alcohol Free Zones (AFZ) for public exhibition. Following the exhibition period, this report recommends the endorsement of the AFZ listed at paragraph 23, which include:

- (a) Thirteen AFZ which were supported by submissions received during the public exhibition period and consultation with local police.
- (b) Extensions to five of the thirteen proposed AFZ in response to comments by residents during the public exhibition period. These include an extension to the following:
 - the proposed Victoria Street, Kings Cross AFZ;
 - both ends of the proposed Pirrama Road, Pyrmont AFZ;
 - the proposed Edward Street, Pyrmont AFZ;
 - the proposed Pyrmont Street, Pyrmont AFZ; and
 - the proposed Union Street, Pyrmont AFZ.

Eight of the proposed zones placed on public exhibition are not recommended in this report. The Redfern Police Local Area Command's submission does not support establishment of AFZ in Eveleigh Street, Louise Street, Vine Street, Caroline Street, Holden Street, Eveleigh Lane, Caroline Lane and Lawson Street, Redfern.

The Redfern Police Command has stated that the proposed AFZ would be difficult to enforce due to the large areas of open space that surround these streets. This space contains Council's Redfern Community Centre and private land. AFZ can only apply to public streets and footpaths.

Council staff have had discussions with the Redfern Police Commander, Redfern Waterloo Authority and Aboriginal Housing Company who agree to participate in the development of an alcohol management plan for the local area in consultation with all stakeholders and local residents.

The Department of Local Government is undertaking an evaluation to assess the effectiveness of the AFZ provisions in the Local Government Act 1993. The evaluation will include; consultation with key stakeholders; a survey of young people's perceptions and knowledge of AFZ; assessment of the impact on Aboriginal people; assessment of the current penalty levels; assessment of the extent and current usage of AFZ. It is anticipated that this report will be available mid 2007.

RECOMMENDATION

It is resolved that Council:

- (A) endorse the proposed Alcohol Free Zones for the City Central (Pymont), Kings Cross, Newtown, Redfern (Chippendale) and Surry Hills Local Area Commands as detailed in paragraph 23 of the subject report;
- (B) note and endorse the proposed extension of the Victoria Street Kings Cross proposed AFZ to include:
 - (i) Brougham Lane between Victoria Street and Brougham Street
 - (ii) Brougham Street between Brougham Lane and Hourigan Lane
- (C) note and endorse the proposed extensions to the Pymont proposed AFZ to include:
 - (i) Pirrama Road between Edward Street and Murray Street
 - (ii) Pirrama Road between Jones Bay Road and Harris Street
 - (iii) Edward Street between Bridge Road and Bunn Street
 - (iv) Pymont Street between Bridge Road and Bunn Street
 - (v) Union Street between Pymont Street and Murray Street
 - (vi) Murray Street between Pirrama Road and Union Street
- (D) not adopt AFZ in:
 - (i) Eveleigh Street between Lawson Street and Vine Street
 - (ii) Louis Street between Caroline Street and Vine Street
 - (iii) Vine Street between Eveleigh Street and Abercrombie Street
 - (iv) Caroline Street between Eveleigh Street and Abercrombie Street
 - (v) Holden Street
 - (vi) Eveleigh Lane between Vine Street and Caroline Street
 - (vii) Caroline Lane between Eveleigh Street and Abercrombie Street
 - (viii) Lawson Street between Gibbons Street and Little Eveleigh Street

ATTACHMENTS

Attachment A: List of Streets for Proposed Alcohol Free Zones adjacent to licensed premises.

Attachment B: Proposal to establish Alcohol Free Zones maps.

Attachment C: Table of submissions received.

Attachment D: Consultation timetable and project plan for Alcohol Free Zone establishment.

BACKGROUND

1. Following the establishment of AFZ on 5 June 2006, additional AFZ were requested by government bodies, community services and residents during public exhibition periods.
2. At its meeting on 23 October 2006, Council endorsed the commencement of the required consultation with interested parties process for a new list of proposed AFZ for the City Central, Kings Cross, Newtown, Redfern and Surry Hills Local Area Commands.
3. The revised schedule of proposed AFZ in this report is based on the submissions received during the consultation and public exhibition process.
4. All of the proposed AFZ have been on public exhibition as required under the Local Government Act 1993.
5. Eight AFZ in the Redfern Local Area Command were proposed by the Aboriginal Housing Company and Redfern Waterloo Authority.
6. The Redfern Police Local Area Command's submission does not support establishment of AFZ in Eveleigh Street, Louise Street, Vine Street, Caroline Street, Holden Street, Eveleigh Lane, Caroline Lane and Lawson Street, Redfern.
7. The Redfern Police Command has stated that the proposed AFZ would be difficult to enforce due to the large areas of open space that surround these streets. This space is privately owned and therefore cannot be covered by AFZ legislation. AFZ can only apply to public streets and footpaths.
8. One submission was received from a resident in regard to the proposed AFZ in Redfern. The submission did not support the establishment of an AFZ at this time. The resident expressed the view that other programs focused on managing the impacts of alcohol would be necessary in this area and that once established, these programs may be complemented by the establishment of an AFZ.
9. The eight AFZ proposed for Redfern are not recommended in this report. Council staff have had discussions with the Redfern Police Commander, Redfern Waterloo Authority and Aboriginal Housing Company who agree to participate in the development of an alcohol management plan for the local area in consultation with all stakeholders and local residents.
10. The Department of Local Government is undertaking an evaluation to assess the effectiveness of the AFZ provisions in the Local Government Act 1993. The evaluation will include: consultation with key stakeholders; a survey of young people's perceptions and knowledge of AFZ; assessment of the impact on Aboriginal people; assessment of the current penalty levels; assessment of the extent and current usage of AFZ. It is anticipated that this report will be available mid 2007.

KEY IMPLICATIONS

Policy

11. Endorsement of the proposed AFZ submitted in this report will establish AFZ in the listed locations. It will be an offence to drink alcohol on any street or footpath within an alcohol free zone 24 hours a day, seven days a week for a period of three years. The AFZ will only be active once there has been public notification of the establishment of the zones and adequate signage has been installed.

Service Quality / Levels

12. AFZ enable Police to confiscate alcohol to prevent the escalation of intoxication which may require Police management via the Summary Offences or Crimes Act. The powers granted to Police via AFZ may reduce the need to invoke these more serious offences.

Social / Community

13. AFZ aim to reduce alcohol-related crime and anti-social behaviour in identified locations in order to help create a safer environment for residents, businesses and visitors. AFZ are one strategy to reduce the alcohol-related conflict between City residents, commuters, and visitors.
14. The Social Policy and Programs Unit has developed the Draft Drug and Alcohol Strategy. Two priority areas of this draft strategy are patrons leaving licensed premises and continuing to drink in public and people drinking in public spaces. AFZ are one tool that assists Council in the management of these activities.
15. The Safe City team and Homelessness team have jointly developed a draft strategy to address street drinking, which provides compassionate and coordinated responses to this complex issue.
16. A street drinker, for the purposes of this strategy, is a person who consumes alcohol to intoxication in the public domain.
17. The Draft Street Drinking Strategy specifically aims to improve services to people who are homeless, provide better design, management and regulation of public spaces and involves the liquor industry in responding to street drinking.

Economic

18. The *Ministerial Guidelines on Alcohol Free Zones* note that AFZ locations cannot be selected with the intention to improve tourism or business interests. Once established, however, AFZ may impact positively for local business, through reducing the conflict between street drinking, local business and residents.

FINANCIAL IMPLICATIONS

19. The estimated cost of producing AFZ signage is \$15,000. Funds are available from within the Capital Works – Signage Rationalisation budget (C16085).

RELEVANT LEGISLATION

20. Local Government Amendment (Alcohol Free Zones) Act 1995, Section 644a of the Local Government Act 1993.

CRITICAL DATES / TIME FRAMES

21. Timeframes for the installation of signage and public notification are at Attachment D.

PUBLIC CONSULTATION

22. An extensive consultation process has been completed with 25 submissions received from residents, NSW Police, NSW Anti-Discrimination Board, The Australian Hotels Association, Community Groups, the Pyrmont/Ultimo Chamber of Commerce and Licensed premises. A full table summarising submissions received is at Attachment C.
23. Pending endorsement by Council, the following locations are proposed for the establishment of AFZ. Maps detailing these locations are at Attachment B.

City Central Local Area Command

| | |
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| | PYRMONT |
| 1. | Union Square/Union Street between Harris Street and Murray Street |
| 2. | Paternoster Row between Union Street and Pyrmont Bridge Road |
| 3. | Pyrmont Street between Point Street and Bunn Street |
| 4. | Edward Street between Bunn Street and Pirrama Road |
| 5. | Pirrama Road between Harris Street and Murray Street, Murray Street between Pirrama Road and Union Street |
| 6. | Point Street |

Kings Cross Local Area Command

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| | EAST SYDNEY |
| 1. | Francis Street between College Street and Riley Street |
| | KINGS CROSS |
| 2. | Macleay Street between Darlinghurst Road and Wylde Street |
| 3. | Victoria Street between McDonald Lane and Darlinghurst Road, Brougham Lane between Victoria Street and Brougham Street, Brougham Street between Brougham Lane and Hourigan Lane. |

Newtown Local Area Command

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| | NEWTOWN |
| 1. | Campbell Street between O'Connell and Elizabeth Streets |

Redfern Local Area Command

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| | CHIPPENDALE |
| 1. | Balfour Street between Cleveland Street and Meagher Street |
| 2. | Bartley Street between Abercrombie and Balfour Street |

Surry Hills Local Area Command

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| | SURRY HILLS |
| 1. | Foveaux Street from Crown Street to Little Norton Street |

GARRY HARDING

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