

# ATTACHMENT B

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**RESOLUTION OF COUNCIL  
OF 1 SEPTEMBER 2008**

## Resolution of Council

**1 SEPTEMBER 2008**

### **ITEM 15 NOTICES OF MOTION**

#### **COMPLIANCE STAFF (S044431)**

1. Moved by Councillor Harris, seconded by Councillor Lee -
  - (A) That council increase the number of compliance staff patrolling the Darlinghurst/Kings Cross/Potts Point/Rushcutters Bay entertainment area, the Oxford Street late night entertainment area and problem areas of the City and The Rocks as follows:
    - (i) Two officers operating together to patrol the designated areas between the hours of 8pm - 4am on Thursday, Friday and Saturday evenings.
    - (ii) Officers to be well acquainted with conditions of consent and plans of management of individual premises particularly those premises serving alcohol to larger numbers of patrons and particularly in premises that have generated complaints.
    - (iii) Particular areas of focus to include noise, approved patron numbers, footpath queuing and consumption of alcohol outside of premises.
    - (iv) Note to be taken of breaches of the law relating to responsible service of alcohol and for this to be promptly communicated to police at the relevant Local Area Command.
  - (B) Council notes that compliance staff do not have the powers of police and that the focus of compliance staff is to enforce conditions of consent that apply to operators of premises that are serving alcohol.
  - (C) Council notes that patron behaviour is the responsibility of the operator of the premises and that enforcement action is directed to the operator and not patrons.

- (D) Council notes that breaches of the criminal law are beyond the jurisdiction of compliance staff. However, compliance staff are encouraged to work with police to report criminal breaches; compliance staff will also be in a position to provide evidence in court proceedings should that be necessary.
- (E) That this increased compliance regime be implemented for a trial period of 12 months, that the City seek the cooperation of and coordination with local police and that an evaluation be reported back to the relevant council committee for discussion and public input.

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Note. The above motion was not carried. The resolution as follows was carried:

It is resolved that:

- (A) Council notes that:
  - (i) In August 2008, the City adopted its Drug and Alcohol Strategy 2007-2009, including strategies to strengthen licensed venue compliance, with a review of the strategy scheduled for December 2008.
  - (ii) The 2006-2007 City budget increased compliance staffing levels in response to community and Councillor concerns, particularly to address the impacts of late night trading licensed premises.
  - (iii) The City has established a unit focused on entertainment venues, including a manager, two senior building surveyors, two building surveyors, two specialist health surveyors, and a new Licensed Premises Coordinator based at the Kings Cross Neighbourhood Service Centre.
  - (iv) The Places of Public Entertainment team regulates and enforces venues after hours and undertakes joint operations with police.
- (B) The CEO be requested to immediately review the adequacy of these compliance strategies and report to Council on further improvements, including the benefit of further increasing the number of compliance staff patrolling the Darlinghurst/Kings Cross/Potts Point/Rushcutters Bay entertainment area, the Oxford Street late night entertainment area and problem areas of the City and The Rocks as follows:
  - (i) Two officers operating together to patrol the designated areas between the hours of 8pm - 4am on Thursday, Friday and Saturday evenings.
  - (ii) Officers to be well acquainted with conditions of consent and plans of management of individual premises particularly those premises serving alcohol to larger numbers of patrons and particularly in premises that have generated complaints.
  - (iii) Particular areas of focus to include noise, approved patron numbers, footpath queuing and consumption of alcohol outside of premises.
  - (iv) Note to be taken of breaches of the law relating to responsible service of alcohol and for this to be promptly communicated to police at the relevant Local Area Command.

- (C) Council notes that compliance staff do not have the powers of police and that the focus of compliance staff is to enforce conditions of consent that apply to operators of premises that are serving alcohol.
- (D) Council notes that patron behaviour is the responsibility of the operator of the premises and that enforcement action is directed to the operator and not patrons.
- (E) Council notes that breaches of the criminal law are beyond the jurisdiction of compliance staff. However, compliance staff are encouraged to work with police to report criminal breaches; compliance staff will also be in a position to provide evidence in court proceedings should that be necessary.

Carried unanimously.