

ITEM 6. ALCOHOL FREE ZONES**FILE NO: S042446-03****SUMMARY**

There are a total of 88 Alcohol Free Zones (AFZs) in the City of Sydney local government area (LGA) across the Surry Hills, Kings Cross, City Central, Redfern, Newtown and Leichhardt Police Commands.

On 6 October 2008, the 43 AFZs established by the City in 2005 for a three year period in the Kings Cross and Surry Hills Police Local Area Commands will expire.

Section 644A of the *Local Government Act 1993* and the *Ministerial Guidelines on Alcohol Free Zones* procedure for 'Council Consultation with Interested Parties' require a schedule of proposed AFZs to be submitted for Council's endorsement to commence the consultation.

AFZs are established by the City to address irresponsible behaviour arising from the consumption of alcohol and enforced by the Police. AFZs can only be created in a public road, footpath or public car park. AFZs cannot be created in parks or on private land. The locations of AFZs are indicated by signage stating the period for which the AFZs are active and indicative arrows to where the AFZ applies. It is an offence to drink alcohol on any public road, footpath or public car park where an alcohol-free zone exists.

There are 76 AFZs proposed for the Kings Cross and Surry Hills Police Local Area Commands in this report. This includes 46 existing AFZs and 30 new AFZs. In Kings Cross, there are 27 existing AFZs and 18 new AFZs. In Surry Hills there are 19 existing and 13 new AFZs.

The proposed AFZs have been submitted by the Police Local Area Commanders with additional submissions by City of Sydney residents and the City of Sydney.

RECOMMENDATION

It is resolved that Council endorse the commencement of the required consultation with interested parties process as required by Section 644A of the *Local Government Act 1993* and the *Ministerial Guidelines on Alcohol Free Zones* for the following proposed Alcohol Free Zones:

(a) Kings Cross Police Local Area Command

- (i) Burton Street between Bourke Street and Forbes Street;
- (ii) Bourke Street between Burton Street and Oxford Street;
- (iii) Forbes Street between Burton Street and Oxford Street;
- (iv) Foley Street between Bourke Street and Riley Street (extension from Palmer Street to Bourke Street) East Sydney;
- (v) Stanley Street between Yurong Street and Crown Street, East Sydney;
- (vi) Yurong Street from Norman Street to William Street, East Sydney;

- (vii) Francis Lane from College Street to Riley Street, East Sydney;
- (viii) Kings Cross Road between Victoria Street and Roslyn Street, Kings Cross;
- (ix) Kellett Street between Bayswater Road and Ward Avenue, Kings Cross;
- (x) Kellett Way between Kellett Street and Roslyn Street, Kings Cross;
- (xi) Kellet Place cul-de-sac, Kings Cross;
- (xii) Roslyn Street between Darlinghurst Road and Kings Cross Road, Kings Cross;
- (xiii) Barncleuth Lane between Roslyn Street and Barncleuth Square, Kings Cross;
- (xiv) Darlinghurst Road between Victoria Street and Ward Avenue (extension includes road closure adjacent to Fitzroy Gardens), Kings Cross;
- (xv) Bayswater Road between Victoria Street and Kings Cross Road, Kings Cross;
- (xvi) Sydney Place bounded by Stephen Street and the Hills Stairs, McElhone Street, Woolloomooloo;
- (xvii) Forbes Street between Cowper Wharf Road and William Street (extension from Cathedral Street to Cowper Wharf Road), Woolloomooloo;
- (xviii) Cathedral Street bounded by Forbes Street and Bourke Street, Woolloomooloo;
- (xix) All streets and laneways bounded by Forbes Street, Cathedral Street, Palmer Street and William Street – this includes Corfu Street, Cross Lane, Talbot Place, William Lane, Burrahpore Lane, St Kilda Lane and Egan Place, Woolloomooloo;
- (xx) Nicholson Street between Dowling Street and Bourke Street, Woolloomooloo;
- (xxi) Springfield Avenue between Darlinghurst Road (Springfield Plaza) and Springfield Mall, Potts Point;
- (xxii) Earl Street between Victoria Street and Orwell Street, Potts Point;
- (xxiii) Earl Place between Earl Street and Springfield Avenue, Potts Point;
- (xxiv) Llankelly Place between Darlinghurst Road and Orwell Street, Potts Point;
- (xxv) Orwell Street between Macleay Street and Victoria Street, Potts Point;
- (xxvi) Hughes Place cul-de-sac, Potts Point;
- (xxvii) Hughes Lane between Orwell Street and Hughes Street, Potts Point;
- (xxviii) Orwell Lane between Orwell Street and Hughes Street, Potts Point;

- (xxix) Hughes Street between Victoria Street and Macleay Street, Potts Point;
- (xxx) Kings Cross Road between Victoria Street and Roslyn Street, Potts Point;
- (xxxi) Norman Street from Yurong Street to Riley Street, East Sydney (new);
- (xxxii) Burton Street between Crown Street and Oxford Street, East Sydney (new);
- (xxxiii) William Street between Crown Street and Yurong Street, East Sydney (new);
- (xxxiv) Yurong Lane between Crown Street and Yurong Street, East Sydney (new);
- (xxxv) Riley Street between Oxford Street and William Street, East Sydney (new);
- (xxxvi) Liverpool Street between Yurong Street and Crown Street (new);
- (xxxvii) Ward Avenue between Barncleuth Square and Kings Cross Road, Kings Cross (new);
- (xxxviii) Barncleuth Square between Darlinghurst Road and Ward Avenue, Kings Cross (new);
- (xxxix) Pennys Lane between Kings Cross Road and Bayswater Road, Kings Cross (new);
- (xl) Goderich Lane between Pennys Lane and Ward Avenue, Kings Cross (new);
- (xli) Mansion Lane cul-de-sac, Kings Cross (new);
- (xlii) Victoria Street between Bayswater Road and Burton Street, East Sydney (new);
- (xliii) Darlinghurst Road between Bayswater Road and Liverpool Street, East Sydney (new);
- (xliv) Dowling Street between Spring Street and Cowper Wharf Road, Woolloomooloo (new);
- (xlv) Springfield Mall between Llinkelly Place and Earl Street, Potts Point (new);

(b) Surry Hills Local Area Command

- (i) Foveaux Street from Elizabeth to Fitzroy Street (extension on Foveaux from Little Norton to Fitzroy Street and extension on Foveaux from Crown St to Elizabeth Street), Surry Hills;
- (ii) Oxford Street between Greens Road and Whitlam Square, Surry Hills;
- (iii) Crown Street between Oxford Street and Albion Street, Surry Hills;

- (iv) Albion Street between Elizabeth Street and Flinders Street (Zone 1 to Crown Street, Zone 2 to Elizabeth Street) , Surry Hills;
- (v) Flinders Street between Albion Street and Bourke Street (Taylor Square) , Surry Hills;
- (vi) All streets and laneways bounded by Crown Street, Albion Street, Flinders Street and Oxford Street including Little Oxford Street, Ryder Street, Taggarts Lane, Campbell Street, Denham Street, Denham Lane, Bloomfield Street, Bloomfield Lane, Little Bloomfield Street, Bourke Street, Little Bourke Street, Church Lane, Jesmond Street, Patterson Lane, Linden Lane, Short Street, Short Place, Hill Street, Mary Place, Floods Place, Maiden Street and Clare Street, Surry Hills;
- (vii) Bourke Street between Oxford Street and Fitzroy Street (extension from Albion Street to Fitzroy Street) , Surry Hills;
- (viii) Elizabeth Street between Albion Street and Cleveland Street (extension from Eddy Avenue to Albion Street) , Surry Hills;
- (ix) Campbell Street between Riley Street and Bourke Street (extension from Crown Street to Bourke Street) , Surry Hills;
- (x) Mary Street between Foveaux Street and Campbell Street, Surry Hills;
- (xi) Foster Street between Hunt Street and Elizabeth Street, Surry Hills;
- (xii) Hands Lane between Reservoir Street and Foster Street, Surry Hills;
- (xiii) Crown Street between Fitzroy Street and Arthur Street, Surry Hills;
- (xiv) Collins Lane between Foveaux Street and Rainford Street, Surry Hills;
- (xv) Collins Street between Riley Street and Alexander Street, Surry Hills;
- (xvi) Chalmers Street between Elizabeth Street and Cleveland Street, Surry Hills;
- (xvii) Riley Street between Oxford Street and Albion Street, Surry Hills (new);
- (xviii) Pelican Street between Oxford Street and Goulburn Street, Surry Hill (new);
- (xix) Brisbane Street between Oxford Street and Goulburn Street, Surry Hills (new);
- (xx) Goulburn Street between Brisbane Street and Crown Street, Surry Hills (new);
- (xxi) Poplar Street between Brisbane Street and Pelican Street, Surry Hills (new);
- (xxii) Waine Street between Pelican Street and Riley Street, Surry Hills (new);
- (xxiii) Arnold Place between Riley Street and Crown Street, Surry Hills (new);

- (xxiv) Little Oxford Street between Crown Street and Campbell Street, Surry Hills (new);
- (xxv) Taggarts Lane between Crown Street and Denham Street, Surry Hills (new);
- (xxvi) Fitzroy Street between Foveaux Street and Anzac Parade, Surry Hills (new);
- (xxvii) Richards Lane between Foveaux Street and Rainford Street, Surry Hills (new);
- (xxviii) Taylor Street between Flinders Street and South Dowling Street, Surry Hills (new);
- (xxix) Chisholm Street between Taylor and Hannam Street, Surry Hills (new);
- (xxx) Sims Street between Chisholm Street and Hannam Street, Surry Hills (new); and
- (xxxi) Rose Terrace, Paddington (new).

ATTACHMENTS

- Attachment A:** List of proposed Alcohol Free Zones for Surry Hills and Kings Cross Police Local Area Commands
- Attachment B:** Maps of proposed Alcohol Free Zones for Surry Hills and Kings Cross Police Local Area Commands
- Attachment C:** Public consultation timetable and project plan for Alcohol Free Zone establishment

BACKGROUND

1. On 7 October 2005, the City established 43 Alcohol Free Zones (AFZs) in the Kings Cross and Surry Hills Local Area Commands for a three year period.
2. On 6 October 2008, these AFZs will expire and will no longer be enforceable by Police. This report is part of a normal review process undertaken by any council when AFZs are about to expire. An AFZ must be reviewed every three years. AFZ signs indicate the time period for which the AFZ is adopted.
3. AFZs give Police the power, in addition to the Police Summary Offences Act 1988 'move-on' powers, to warn someone consuming alcohol and then confiscate the alcohol from people in public spaces to prevent an escalation of alcohol-related anti-social behaviour. In this respect, they set and reinforce boundaries for appropriate behaviour and in minimising conflict between different groups in the community; such as commuters, residents, party-goers, people who are homeless and people who drink on the streets.
4. AFZs are only one strategy to address the issue of alcohol-related crime and anti-social behaviour. AFZs work in with numerous other approaches detailed in the City's Street Drinking Strategy, Drug and Alcohol Strategy and Late Night Trading Premises Development Control Plan.
5. If Council agrees to endorse the AFZs recommended in paragraphs 15 and 16, a very extensive consultation process over a 40 day period must occur. A project plan for public exhibition and community consultation is at Attachment C.
6. At the meeting on Monday 23 October 2006, Council resolved:
 - (a) That the recommendation of the Cultural and Community Services Committee be adopted.
 - (b) When Council staff come back to Council with recommendations for alcohol free zones, they should also develop an evidence based evaluation reporting method to enable the City of Sydney Council to have a detailed and comprehensive report on the effectiveness of these zones which would include:
 - (i) the number of people fined or moved on;
 - (ii) the demographic characteristics of those people;
 - (iii) where they were moved on to; and
 - (iv) the number of people from whom alcohol was confiscated.
7. In March 2006, the NSW Department of Local Government commenced an evaluation of the effectiveness of AFZs. On 31 October 2007, the City wrote to the Department and requested a copy of the report. The Director General of the Department of Local Government replied on 15 November 2007 that the *Alcohol Free Zones Evaluation and Survey of Councils* report is still being considered by the NSW Government and is not available for release. Subsequent attempts by City officers during 2008 have been unsuccessful in securing a copy of the report.

8. The information available to the City to evaluate the effectiveness of AFZs is constrained by the limited data available from the Department of Local Government evaluation and Police about the focus or impact of AFZ enforcement activity.
9. NSW Police regulate AFZs through verbal warnings, move on orders, confiscation of alcohol and criminal infringement fines and court fines. Of these, only court fines are 'recorded incidents' in the Police COPS database.
10. The NSW Bureau of Crime Statistics and Research (BOCSAR) reports on state crime data, and is the agency authorised to release crime data provided by NSW Police Commands. Whilst Police Local Area Commanders have discretionary powers to release crime data directly from their Commands, it is more usual to receive data for the public record from BOCSAR.
11. Assessing the effectiveness of AFZs based on the number of fines or move-on orders issued gives an incomplete picture of the effectiveness of AFZs in the LGA. This is because Police recording of minor offences such as alcohol consumption in an AFZ is ambiguous. Police use of AFZs to reprimand individuals drinking in a designated area often results in warnings, but not as an incident recorded in the COPS database.
12. In regards to *the demographic statistics of these people*, this level of information is not available from the BOCSAR data. In regards to *where they were moved on to* and *the number of people from whom alcohol was confiscated*; it is not possible to answer these questions using BOCSAR data.
13. To ensure greater consistency with the requirements of the *Local Government Act 1993* and the *Ministerial Guidelines on Alcohol Free Zones*, the City introduced a requirement that AFZ applications must provide evidence of irresponsible behaviour arising from the consumption of alcohol to support the proposal. For the purposes of this review, both Kings Cross and Surry Hills Commands released alcohol related crime pin maps. Unfortunately, this data is not available for public release, but was used to confirm that the proposed AFZs are consistent with the alcohol-related crime hot spots. The majority of the proposed AFZs are also located adjacent to liquor licensed premises, especially late night entertainment areas, and is detailed at Attachment A.
14. All proposed AFZs in this report are a result of applications from the Kings Cross and Surry Hills Local Area Commands with two supporting applications from two East Sydney residents regarding Riley Street, Darlinghurst and one from the City for Rose Terrace, Surry Hills. A complete table of all proposed AFZs, their respective location to licensed premises and whether they are a new or existing AFZ is at Attachment A.
15. Proposed AFZs for the Kings Cross Police Local Area Command, with a complete listing of AFZs and co-location with licensed premises at Attachment A and map at Attachment B. The following listing details a total of 45 AFZs for the Kings Cross Command; 27 are existing and 18 are new.
 - (i) Burton Street between Bourke Street and Forbes Street;
 - (ii) Bourke Street between Burton Street and Oxford Street;
 - (iii) Forbes Street between Burton Street and Oxford Street;

- (iv) Foley Street between Bourke Street and Riley Street (extension from Palmer Street to Bourke Street) East Sydney;
- (v) Stanley Street between Yurong Street and Crown Street, East Sydney;
- (vi) Yurong Street from Norman Street to William Street, East Sydney;
- (vii) Francis Lane from College Street to Riley Street, East Sydney;
- (viii) Kings Cross Road between Victoria Street and Roslyn Street, Kings Cross;
- (ix) Kellett Street between Bayswater Road and Ward Avenue, Kings Cross;
- (x) Kellett Way between Kellett Street and Roslyn Street, Kings Cross;
- (xi) Kellet Place cul-de-sac, Kings Cross;
- (xii) Roslyn Street between Darlinghurst Road and Kings Cross Road, Kings Cross;
- (xiii) Barncleuth Lane between Roslyn Street and Barncleuth Square, Kings Cross;
- (xiv) Darlinghurst Road between Victoria Street and Ward Avenue (extension includes road closure adjacent to Fitzroy Gardens), Kings Cross;
- (xv) Bayswater Road between Victoria Street and Kings Cross Road, Kings Cross;
- (xvi) Sydney Place bounded by Stephen Street and the Hills Stairs, McElhone Street, Woolloomooloo;
- (xvii) Forbes Street between Cowper Wharf Road and William Street (extension from Cathedral Street to Cowper Wharf Road), Woolloomooloo;
- (xviii) Cathedral Street bounded by Forbes Street and Bourke Street, Woolloomooloo;
- (xix) All streets and laneways bounded by Forbes Street, Cathedral Street, Palmer Street and William Street – this includes Corfu Street, Cross Lane, Talbot Place, William Lane, Burrahpore Lane, St Kilda Lane and Egan Place, Woolloomooloo;
- (xx) Nicholson Street between Dowling Street and Bourke Street, Woolloomooloo;
- (xxi) Springfield Avenue between Darlinghurst Road (Springfield Plaza) and Springfield Mall, Potts Point;
- (xxii) Earl Street between Victoria Street and Orwell Street, Potts Point;

- (xxiii) Earl Place between Earl Street and Springfield Avenue, Potts Point;
- (xxiv) Llankelly Place between Darlinghurst Road and Orwell Street, Potts Point;
- (xxv) Orwell Street between Macleay Street and Victoria Street, Potts Point;
- (xxvi) Hughes Place cul-de-sac, Potts Point;
- (xxvii) Hughes Lane between Orwell Street and Hughes Street, Potts Point;
- (xxviii) Orwell Lane between Orwell Street and Hughes Street, Potts Point;
- (xxix) Hughes Street between Victoria Street and Macleay Street, Potts Point;
- (xxx) Kings Cross Road between Victoria Street and Roslyn Street, Potts Point;
- (xxxi) Norman Street from Yurong Street to Riley Street, East Sydney (new);
- (xxxii) Burton Street between Crown Street and Oxford Street, East Sydney (new)
- (xxxiii) William Street between Crown Street and Yurong Street, East Sydney (new);
- (xxxiv) Yurong Lane between Crown Street and Yurong Street, East Sydney (new);
- (xxxv) Riley Street between Oxford Street and William Street, East Sydney (new);
- (xxxvi) Liverpool Street between Yurong Street and Crown Street (new);
- (xxxvii) Ward Avenue between Barncleuth Square and Kings Cross Road, Kings Cross (new);
- (xxxviii) Barncleuth Square between Darlinghurst Road and Ward Avenue, Kings Cross (new);
- (xxxix) Pennys Lane between Kings Cross Road and Bayswater Road, Kings Cross (new);
- (xl) Goderich Lane between Pennys Lane and Ward Avenue, Kings Cross (new);
- (xli) Mansion Lane cul-de-sac, Kings Cross (new);
- (xlii) Victoria Street between Bayswater Road and Burton Street, East Sydney (new);
- (xlili) Darlinghurst Road between Bayswater Road and Liverpool Street, East Sydney (new);

- (xliv) Dowling Street between Spring Street and Cowper Wharf Road, Woolloomooloo (new); and
 - (xlv) Springfield Mall between Llanckelly Place and Earl Street, Potts Point (new).
16. Proposed AFZs for the Surry Hills Local Area Command, with a complete listing of AFZs and co-location with licensed premises at Attachment A and map at Attachment B. The following listing details a total of 31 AFZs for the Surry Hills Command; 19 are existing and 13 are new.
- (i) Foveaux Street from Elizabeth to Fitzroy Street (extension on Foveaux from Little Norton to Fitzroy Street and extension on Foveaux from Crown St to Elizabeth Street), Surry Hills;
 - (ii) Oxford Street between Greens Road and Whitlam Square, Surry Hills;
 - (iii) Crown Street between Oxford Street and Albion Street, Surry Hills;
 - (iv) Albion Street between Elizabeth Street and Flinders Street (Zone 1 to Crown Street, Zone 2 to Elizabeth Street), Surry Hills;
 - (v) Flinders Street between Albion Street and Bourke Street (Taylor Square), Surry Hills;
 - (vi) All streets and laneways bounded by Crown Street, Albion Street, Flinders Street and Oxford Street including Little Oxford Street, Ryder Street, Taggarts Lane, Campbell Street, Denham Street, Denham Lane, Bloomfield Street, Bloomfield Lane, Little Bloomfield Street, Bourke Street, Little Bourke Street, Church Lane, Jesmond Street, Patterson Lane, Linden Lane, Short Street, Short Place, Hill Street, Mary Place, Floods Place, Maiden Street and Clare Street, Surry Hills;
 - (vii) Bourke Street between Oxford Street and Fitzroy Street (extension from Albion Street to Fitzroy Street), Surry Hills;
 - (viii) Elizabeth Street between Albion Street and Cleveland Street (extension from Eddy Avenue to Albion Street), Surry Hills;
 - (ix) Campbell Street between Riley Street and Bourke Street (extension from Crown Street to Bourke Street), Surry Hills;
 - (x) Mary Street between Foveaux Street and Campbell Street, Surry Hills;
 - (xi) Foster Street between Hunt Street and Elizabeth Street, Surry Hills;
 - (xii) Hands Lane between Reservoir Street and Foster Street, Surry Hills;
 - (xiii) Crown Street between Fitzroy Street and Arthur Street, Surry Hills;
 - (xiv) Collins Lane between Foveaux Street and Rainford Street, Surry Hills;

- (xv) Collins Street between Riley Street and Alexander Street, Surry Hills;
- (xvi) Chalmers Street between Elizabeth Street and Cleveland Street, Surry Hills;
- (xvii) Riley Street between Oxford Street and Albion Street, Surry Hills (new);
- (xviii) Pelican Street between Oxford Street and Goulburn Street, Surry Hill (new);
- (xix) Brisbane Street between Oxford Street and Goulburn Street, Surry Hills (new);
- (xx) Goulburn Street between Brisbane Street and Crown Street, Surry Hills (new)
- (xxi) Poplar Street between Brisbane Street and Pelican Street, Surry Hills (new);
- (xxii) Waine Street between Pelican Street and Riley Street, Surry Hills (new);
- (xxiii) Arnold Place between Riley Street and Crown Street, Surry Hills (new);
- (xxiv) Little Oxford Street between Crown Street and Campbell Street, Surry Hills (new);
- (xxv) Taggarts Lane between Crown Street and Denham Street, Surry Hills (new)
- (xxvi) Fitzroy Street between Foveaux Street and Anzac Parade, Surry Hills (new);
- (xxvii) Richards Lane between Foveaux Street and Rainford Street, Surry Hills (new);
- (xxviii) Taylor Street between Flinders Street and South Dowling Street, Surry Hills (new);
- (xxix) Chisholm Street between Taylor and Hannam Street, Surry Hills (new);
- (xxx) Sims Street between Chisholm Street and Hannam Street, Surry Hills (new); and
- (xxxi) Rose Terrace, Paddington (new).

KEY IMPLICATIONS

17. A delay in the adoption of the proposed AFZs will lead to the expiry of the 19 existing AFZs in Surry Hills Command and 28 AFZs in the Kings Cross Command and, as a result, the expiry of the City's AFZ signs which enable Police to enforce.

18. The introduction of the *Smoke Free (2007)* legislation in licensed premises on 1 July 2007, has resulted in increased footpath congestion outside licensed premises, with anecdotal reports from Police of more licensed premises patrons smoking on the footway, and bringing their alcoholic drinks with them.
19. One in eight of all licensed premises in NSW are located within the City of Sydney. The NSW Auditor-General's report *Working with hotels and clubs to reduce alcohol related crime and alcohol-related assault 2008*, indicates that alcohol related assaults have steadily increased in NSW, and since 2002-03, they have increased at a faster rate than total assaults. Almost one in 20 of all non-domestic violence related assaults in NSW occurred in Kings Cross and Surry Hills Commands between 2006-07.
20. Nationally, there is widespread public support for measures to reduce alcohol consumption in public spaces. The Australian Institute of Health and Welfare's *2004 National Drug Strategy Household Survey* of 30,000 Australians indicated that 63% of the population supported the use of alcohol free areas to address problems associated with the excessive consumption of alcohol. The results of the 2007 study will be released in October 2008.

BUDGET IMPLICATIONS

21. The cost of the required community consultation process is \$10,000 including an extensive mail out to interested parties, advertisements in local media, posters and maps on display for public exhibition. The cost of the consultation process has been included in the approved 2008/09 budget.

RELEVANT LEGISLATION

22. *Local Government Act 1993*. Provides powers to councils to propose the establishment of AFZs. AFZs are enforced by NSW Police. Section 642 - 649 of the *Local Government Act 1993* provides powers to a police officer who 'finds a person drinking, or about to drink, or who has recently been drinking alcohol in an alcohol free zone' to warn the person. A person who has received such a warning is guilty of an offence if, in the same zone on the same day, he or she commences to drink alcohol or fails to stop drinking alcohol, or resumes drinking alcohol. The maximum penalty for an offence under this section is \$22 and the alcohol may be confiscated by the police officer.
23. *Summary Offences Act 1988*. Section 28 (F) empowers police to give a reasonable direction to a person in a public place if that person's behaviour or presence obstructs other people or traffic, constitutes harassment or intimidation, or causes or is likely to cause fear to another person. Section 11 empowers Police with powers to control the use and/or possession of alcohol by persons under the age of 18 in public places not under the supervision of an adult; and the person does not have a reasonable excuse for possessing the liquor.

24. *Crimes Legislation Amendment (Police and Public Safety) Act 1998*. The Act empowers police to 'move along' a person in a public place if the person's 'behaviour or presence' is obstructing another person or persons or traffic, or constitutes harassment or intimidation of another person or persons, or is causing or likely to cause fear to another person or persons, so long as the relevant conduct would be such as to cause fear to a person of reasonable firmness and is for the purposes of unlawfully supplying, or intending to unlawfully supply, or soliciting another person or persons to unlawfully supply any prohibited drug or is for the purpose of obtaining, procuring or purchasing any drug that it would be unlawful for the person to possess.

CRITICAL DATES / TIME FRAMES

25. The AFZs established on 7 October 2005 will expire on 6 October 2008. See Attachment C for Project Plan outlining the proposed public consultation timetable.

OPTIONS

26. Council can choose to endorse all the proposed AFZs (including 46 existing and 30 new AFZs) to undergo the required community consultation process.
27. Council can choose not to endorse the recommendation for the public consultation of Alcohol Free Zones. This will mean that Police are unable to enforce any AFZ in Surry Hills or Kings Cross Police Commands as of 6 October 2008. Alcohol related crime and street drinking increases in the Surry Hills and Kings Cross Commands over the summer months.
28. Council can choose to only re-establish the already existing 46 AFZs, and not the 30 new proposed AFZs.

PUBLIC CONSULTATION

29. In order to consider proposed AFZs, Council must endorse the required community consultation process. This process includes a public exhibition period and consultation with interested parties including liquor licensed venues, community groups, drug and alcohol services, homelessness services, Aboriginal and Torres Strait islander groups and the NSW Anti-Discrimination Board. A comprehensive list is at Attachment C.

GARRY HARDING

Director City, Community and Cultural Services

Rebecca Martin, Project Coordinator, Safe City