

CO2 – Re-establishment of Alcohol Free Zones and Information on Alcohol Prohibited Areas

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EXECUTIVE SUMMARY

- The purpose of this report is to advise that the Alcohol Free Zones Proposal has been publicly exhibited for 28 days to allow for community consultation and input.
- It is recommended that:
 - Council endorse the proposed Alcohol Free Zones as shown in the attached plans.
 - The period of operation of the Alcohol Free Zones be 4 years commencing when signage and installation considerations are determined and following the public advertisement advising 7 days notice of implementation of the zones.
 - Council advertise the declaration of the new Alcohol Free Zones, in accordance with Section 644B of the Local Government Act.
 - The signage of Alcohol Prohibited Areas be investigated for improvement.

REPORT

BACKGROUND

Alcohol Free Zones (AFZs)

The principal object of an Alcohol Free Zone (AFZ) is to improve public safety by preventing disorderly behaviour caused by the consumption of alcohol in public areas. Public areas including public roads, footpaths or public car parks may be included in a zone.

An AFZ may be established for a maximum period of four years. Once established they apply twenty four hours per day. Council must erect a sign at the outer limits of the zone and at suitable intervals within the zone.

Alcohol Free Zones are established under the relevant provisions of the Local Government Act 1993 and Ministerial Guidelines.

On 12 December 2011, Wollondilly Shire Council resolved to implement AFZs for a period of four years from December 2011 to December 2015.

The AFZs have now expired.

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Alcohol Prohibited Areas (APAs)

An Alcohol Prohibited Area is a public place or part of a public place such as a park or reserve that has been established by Council and where the consumption of alcohol is prohibited.

Section 632A (4) of the Local Government Act enables Councils to declare any public place or part of a place to be an Alcohol Prohibited Area, except those places (public roads, footpaths and car parks) which are to be dealt with under the Alcohol Free Zones provisions of the Act.

Alcohol Prohibited Areas are not established under the Ministerial Guidelines, they are established under the Local Government Act 1993 and therefore are under the delegation of the General Manager. Once Alcohol Prohibited Areas are established they cannot be removed unless the General Manager removes this declaration.

The APAs have not expired as they are not subject to any time limit however; there are inconsistencies with signage across the region that need to be addressed.

COUNCIL RESOLUTION

On Monday 19 June 2017, Council resolved: That the proposal for the re-establishment of the Alcohol Free Zones be placed on Public Exhibition for 28 days to allow for community input prior to being brought back to Council for adoption.

CONSULTATION

Under the Local Government Act 1993 and Ministerial Guidelines, Council must undertake a consultation process to decide if an Alcohol Free Zone is appropriate.

Consultation occurred with NSW Police and the three Local Area Commands that cover the Wollondilly Local Government Area:

- Camden Local Area Command;
- Campbelltown Local Area Command; and
- St. Mary's Local Area Command.

A proposal with maps showing the existing Alcohol Fee Zones was subsequently prepared and exhibited to the general community through a variety of means including:

- Newspaper Advertisement (as per the Ministerial Guidelines)
- Media Release
- Social Media Posts
- Council's Website

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- Council's Community Engagement Website Engage.Wollondilly
- On display at Council offices and the Picton Library
- Letters to the Liquor License Holders
- Letter to Tharawal Local Aboriginal Land Council
- Wollondilly Liquor Accord Meeting.

RESPONSES TO ALCOHOL FREE ZONES:

The Licensing Officers of the three Local Area Commands were in agreement to support the re-establishment of the Alcohol Free Zones. They agree that the establishment of the Alcohol Free Zones gives Police the power and authority to deal with persons who are consuming alcohol within the identified zone, therefore reducing the potential for an escalation in anti-social behaviour.

When consulting with the NSW Police, the Campbelltown Licensing Officer also requested that the current Alcohol Prohibited Area signage be reviewed and updated.

At the recent Wollondilly Liquor Accord meeting, the draft Proposal for Alcohol Free Zones in Wollondilly was tabled and discussed. The members of the Accord requested to extend the Alcohol Free Zone on Burragorang Road to include the Oakdale Caravan Park. This was supported by all members. The extension is outlined in the attached maps and will include the area up to 1458 Burragorang Road.

Through Engage.Wollondilly, nine community members provided feedback on the proposed Alcohol Free Zones.

Two respondents requested that the Alcohol Free Zones be reinstated around the shops at the Wilton Village and Bingara Gorge, Wilton. The community members identified an increase in anti-social behaviour in these areas. This was discussed with Camden Local Area Command and while there is no data on their system about incidents in the area they strongly support Alcohol Free Zones. The new zones are outlined in the attachment.

A respondent agreed in principle with the zones however suggested the zones should focus on the main streets near fast food outlets and not the residential streets further away.

Two respondents disagreed with the reestablishment of the zones across the Warragamba business district as they felt it would hamper the local business from creating food and wine nights and other innovative events in the sector.

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Another response was received via the feedback form included in the proposal. The respondent suggested extending the zone in Picton to cover Prince Street from Menangle Street to Campbell Street. The extended zone is outlined in the attachment.

Three respondents stated they were satisfied with the zones and one response was not relevant to the AFZs proposal.

A petition was received from the Warragamba Business Association objecting to the reestablishment of AFZs in Warragamba on the basis of limitations to hold future festivals, street fairs and markets that would attract tourists to the area. In response to the petition Council officers will undertake an awareness program as exemptions can be applied for through the General Manager and/or through the Department of Liquor and Gaming.

ALCOHOL PROHIBITED AREAS AND COMMUNITY EVENTS

Alcohol Prohibited Areas are declared under the Local Government Act 1993 and therefore are under the delegation of the General Manager.

Should a temporary exemption be required within an Alcohol Prohibited Area for a Community Event a proposal must be sent to the General Manager for consideration.

The proposal for an exemption must include details of the event, purpose and duration of the exemption and provide details of the proposed safety precautions.

Safety Precautions must include suitably qualified RSA staff, security, food provisions, how participants will be supervised, how the area will be contained, and if the Police have been consulted and have raised no objections or concerns.

FINANCIAL IMPLICATIONS

Signage from the previously expired AFZs is still in place across the Shire. It is proposed that this signage would continue to be utilised by amending the applicable dates. The estimated cost of these signage adjustments is approximately \$3,000 which is budgeted for within existing operating budgets.

The provision of new signage at Wilton will be part of future budgetary considerations.

ATTACHMENTS

1. Maps of Alcohol Free Zones including new zones at Wilton, an extension at Oakdale and Picton.

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RECOMMENDATION

1. That Council endorse the proposed Alcohol Free Zones as shown in the list towns and villages and the attached plans.
2. That the period of operation of the Alcohol Free Zones be 4 years commencing when signage and installation considerations are determined and following the public advertisement advising 7 days' notice of implementation of the zones.
3. That Council advertise the declaration of the Alcohol Free Zones, in accordance with Section 644B of the Local Government Act.
4. That the signage of Alcohol Prohibited Areas be investigated for improvement.