

ITEM 13. APPLICATION FOR TEMPORARY ALCOHOL FREE ZONES FOR THE RUGBY 7s EVENT ON 3 - 5 FEBRUARY 2017**FILE NO: 2016/637518****SUMMARY**

On 16 November 2016, the City of Sydney received an application from Surry Hills Local Area Command for the creation of temporary alcohol free zones to be established for the Rugby 7s tournament to be held at Allianz Stadium from 3 - 5 February 2017. NSW Government guidelines require the City to put an alcohol free zone application on public exhibition and report any feedback to Council at the end of the period, before the application can be formally approved. Due to the timing of the request, the City's Council meeting cycle, and the timing of the event, the City is only able to comply with the guidelines and obtain a Council resolution by holding an extraordinary Council meeting in January, proposed to be held on 23 January 2017.

The Rugby 7s were first played in Sydney in February 2016. The games attracted capacity crowds of 45,500 at the Allianz Stadium. During the event, police and security ejected 115 people for intoxication, trying to re-enter the stadium, bringing in alcohol and failing to quit the venue. NSW Police expressed concerns regarding the activities of some of the patrons at last year's event who were reported to have been consuming alcohol near to and outside the event, causing some local residents to contact police.

Alcohol free zones and alcohol prohibited areas are established in public places in order to restrict the consumption of alcohol to help prevent alcohol-related anti-social behaviour and crime, including damage to property, littering and noise impacts. Alcohol restrictions provide NSW Police with an early intervention measure to confiscate alcohol within designated areas if they reasonably suspect that a person is, has, or is about to consume the alcohol. Any alcohol taken by police can be tipped out or otherwise disposed of in accordance with directions from the NSW Police Commissioner.

RECOMMENDATION

It is resolved that:

- (A) Council approve the proposal for the establishment of temporary alcohol free zones, as shown in Attachment A to the subject report, for public consultation in accordance with the requirements of the *Local Government Act 1993*; and
- (B) an extraordinary meeting of Council be held on 23 January 2017 to consider the proposal and any submissions made in the consultation period.

ATTACHMENTS

Attachment A: Map of proposed Alcohol Free Zones

BACKGROUND

1. Alcohol free zones and alcohol prohibited areas are established in public places across New South Wales in order to restrict the consumption of alcohol to help prevent alcohol-related antisocial behaviour and crime, including damage to property, littering and noise impacts. Alcohol restrictions provide NSW Police with an early intervention measure to confiscate alcohol within designated public areas.
2. Under the Act, Council can resolve to establish an alcohol free zone or an alcohol prohibited area for up to a four-year period. They can also be established on a temporary basis for special events. The Ministerial Guidelines provide the process that Councils must undertake to do this.
3. Historically, alcohol free zones have been established to manage the impacts around late night trading precincts, such as Darlinghurst Road in Kings Cross, Oxford Street in Darlinghurst, George Street in the city centre and King Street in Newtown. Alcohol free zones have also been established on a temporary basis to manage alcohol impacts at large events such as New Year's Eve and Mardi Gras.
4. NSW Police make connections between behaviour at an event and 'pre-drinking' (also known as 'pre-loading'). This is when a person consumes alcohol before heading to an area where licenced bars, clubs or pubs are located. Pre-drinking can lead to an already high blood alcohol content level before patrons have even reached or entered an event.
5. On 16 November 2016, the City of Sydney received an application from Acting Superintendent Holland of Surry Hills Local Area Command for the creation of temporary alcohol free zones to be established for the Rugby 7s tournament to be held at Allianz Stadium from 3 – 5 February 2017. NSW Police expressed concerns regarding the activities of some of the patrons at last year's event who were reported to have been consuming alcohol near to and outside the event, causing some local residents to contact police.
6. The proposed alcohol free zones are outlined in the attached map of Paddington and include:
 - (a) Moore Park Road – between Greens Road and Cook Road;
 - (b) Oxford Street – between Greens Road and 435 Oxford Street;
 - (c) Greens Road – between Oxford Street and Moore Park Road;
 - (d) Oatley Road;
 - (e) Regent Street;
 - (f) Regent Lane;
 - (g) Renny Street;
 - (h) Stewart Street;
 - (i) Gordon Street;
 - (j) Bent Street; and

- (k) Elizabeth Street.
7. The Act empowers the City to prepare a proposal for an alcohol free zone either of its own accord or on the application of certain persons, including police officers.
 8. Once a proposal has been prepared, the Act requires the City to undertake public consultation in accordance with the Ministerial Guidelines as follows:
 - (a) 30 days for members of the public following publication of the proposal in a newspaper circulating in the area (extended from the 14 days required under the Act);
 - (b) 30 days for local police, liquor licensees and local Aboriginal or culturally and linguistically diverse community groups; and
 - (c) 40 days for the Anti-Discrimination Board.
 9. Once the above public notification and consultation periods have been completed, proper consideration must be given to all submissions received during the consultation period.
 10. If a resolution is passed by Council to establish an alcohol free zone, the Act requires that Council give notice of the resolution establishing the alcohol free zone in a newspaper. An alcohol free zone cannot operate until seven days after the publication of this newspaper notice.

COUNCIL TIMEFRAMES AND CONSTRAINTS:

11. The time for the establishment of an alcohol free zone for the period requested is very restrictive. It is not possible to bring the proposal to the December 2016 Council meeting, as the required public notification requirements have not been complied with. There is no scheduled Council meeting in January 2017. The only avenue therefore would be to recall Council for an extraordinary meeting in January. It is proposed that this meeting be held on 23 January 2017.

PROPOSED TIMELINE

12. If Council decides to hold an extraordinary meeting on 23 January 2017, the proposed timeframe is below and will meet legislative requirements.

Date	Process
12 December	Council Meeting
13 December	Copy of notification posted to Paddington Liquor Licensees and Aboriginal community groups (30 days)
13 December	Copy of notification posted to NSW Anti-Discrimination Board (40 days)
14 December	Public notification in the Sydney Morning Herald (30 days)
12 January	30 Days notification period ends for Paddington Liquor Licensees and Aboriginal community groups. Notification of the general public will also close on this date (notification for 30 days is longer than the 14 days required by the Act).

Date	Process
22 January	40 days notification period ends for NSW Anti-Discrimination Board
23 January	Extraordinary meeting
25 January	Public notification of establishment in the Sydney Morning Herald (7 days)
1 February	7 days public notification period ends
2 February	Installation of signage by City of Sydney
6 February	Signage removed by City of Sydney

KEY IMPLICATIONS

Strategic Alignment - Sustainable Sydney 2030 Vision

13. Sustainable Sydney 2030 is a vision for the sustainable development of the City to 2030 and beyond. It includes 10 strategic directions to guide the future of the City as well as 10 targets against which to measure progress. The establishment of alcohol restrictions is aligned with the Strategic Direction 6 - Vibrant Local Communities and Economies. The establishment of alcohol restrictions enhances the safety and accessibility of civic spaces for a diverse population of residents, workers and visitors to enjoy.

Risks

14. If an extraordinary Council meeting is not approved, the application for a temporary alcohol free zone in the area outlined on the attachment will not be able to be implemented in accordance with the requirements of the Act. The actual risk is considered low to moderate, as the New South Wales Police Force have other powers to deal with alcohol-fuelled anti-social behaviour. However a temporary AFZ will allow the police to seize alcohol from persons within the alcohol free zone area, which might assist preventing potential anti-social behaviour.

BUDGET IMPLICATIONS

15. Costs associated with notification and signage are estimated to be \$5,700. While this was not included in the adopted 2016/17 budget, staff will seek to fund these costs from savings.

RELEVANT LEGISLATION

16. Local Government Act 1993.

CRITICAL DATES / TIME FRAMES

17. Due to the requirements of the Act and the Ministerial Guidelines, there are no other options that can be adopted to lawfully approve this specific temporary alcohol free zone application within the given timeframe.

PUBLIC CONSULTATION

18. The time periods for submissions following public notification of the proposal are as follows:
- (a) 30 days for members of the public following publication of the proposal in a newspaper circulating in the area (which is an extension of the 14 day notification period required by the Act);
 - (b) 30 days for local police, liquor licensees and local Aboriginal or culturally and linguistically diverse community groups; and
 - (c) 40 days for the Anti-Discrimination Board (as the City is required to consult with the Board by the Ministerial Guidelines).

ANN HOBAN

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