

## Public Exhibition - Outdoor Alcohol Restrictions

File No: X128576

### Summary

Within New South Wales, outdoor alcohol restrictions, including alcohol free zones and alcohol prohibited areas, may be used by local councils (either of their own initiative or at the request of NSW Police or community members) to prohibit alcohol consumption in public places to reduce anti-social behaviour and crime. These measures can help to keep public places and streets safe and enjoyable for residents and visitors while not discriminating against particular groups. They should be used where there is a demonstrable community need and are more effective when they form part of a broader strategy including education, community programs and public place design.

Following a comprehensive review of outdoor alcohol restrictions within the City of Sydney, on 19 August 2024 Council approved the establishment of 218 alcohol-free zones and alcohol-prohibited areas on city streets and public places for a 4-year period. On 17 February 2025, Council approved the establishment of an additional alcohol-free zone on Jones Bay Road, Pyrmont.

Currently there are 219 outdoor alcohol restricted areas within the City of Sydney (the City), including 181 alcohol free-zones and 38 alcohol prohibited areas, which have been established until 21 August 2028.

On 19 August 2024, via an Information Relevant To Memorandum (Item 7.3 – Post Exhibition: Review of Outdoor Alcohol Restrictions), the Chief Executive Officer advised Council that:

City staff will monitor the data provided by NSW Police and the Bureau of Crime Statistics and Research (BOCSAR), particularly in those areas where outdoor alcohol restrictions will expire on 20 August 2024, to assess the effectiveness of the restrictions and will report back to Council once at least a full 12 months of data has been collated and analysed in order to ensure an adequate level of data is obtained prior to any further recommendations being made.

City staff have collated and analysed a full 12 months of BOCSAR data related to the number of alcohol-related assaults in public places and obtained feedback from NSW Police and community to inform the assessment of outcomes arising from the removal of the restrictions. A particular focus has been on the 160 locations where outdoor alcohol restrictions were not renewed by Council following their expiry on 20 August 2024.

The BOCSAR data shows a continuing downward trend in the number of alcohol-related assaults in public places within the City of Sydney and this trend has not been affected by the reduction in outdoor alcohol restrictions.

However, Police Area Commands within the City of Sydney have identified some areas of concern where indicated alcohol-related antisocial behaviour is impacting public safety and amenity. In addition, residents, workers, community organisations and businesses within some areas have raised concerns about the removal of outdoor alcohol restrictions or emerging issues impacting on public safety and amenity in some locations.

As a result, the City has received 24 new and valid applications for outdoor alcohol restrictions covering 28 locations across our local area from residents, workers, local businesses, community organisations, and NSW Police. The legislation requires the City to consider validly submitted applications for outdoor alcohol restrictions.

In accordance with the Local Government Act 1993 and Ministerial Guidelines on Alcohol-Free Zones, this report recommends that the list of proposed alcohol-free zones and alcohol-prohibited areas, shown at Attachment B, is placed on public exhibition for a minimum of 30 days.

## Recommendation

It is resolved that:

- (A) Council note the outcomes of the assessment undertaken by City staff of the effectiveness of outdoor alcohol restrictions based on an analysis of a full 12 months of data provided by NSW Police and the Bureau of Crime Statistics and Research;
- (B) Council approve the 30-day public exhibition of the proposed alcohol-free zones and alcohol prohibited areas on City streets and public places for a 4-year period as outlined in Attachments B and C to the subject report; and
- (C) authority be delegated to the Chief Executive Officer to correct minor errors to the matters set out in this report, noting that the locations of the alcohol-free zones and alcohol prohibited areas will not change prior to the public exhibition period commencing.

## Attachments

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|----------------------|--------------------------------------------------------------------------------------------------------------------------------|
| <b>Attachment A.</b> | Number of Outdoor Alcohol Related Assaults and Number of Proposed Outdoor Alcohol Restrictions for Public Exhibition by Suburb |
| <b>Attachment B.</b> | List of Proposed Outdoor Alcohol Restrictions for Public Exhibition                                                            |
| <b>Attachment C.</b> | Maps of Proposed Outdoor Alcohol Restrictions for Public Exhibition                                                            |

## Background

1. In accordance with the Local Government Act 1993, the City of Sydney considers all new and valid applications for outdoor alcohol restrictions. These restrictions include alcohol-free zones which apply to public roads, footpaths and public carparks and alcohol prohibited areas which apply to parks and civic spaces. Council can resolve to establish an outdoor alcohol restriction for a maximum of 4 years or on a temporary basis for special events.
2. Alcohol-free zones apply 24 hours a day. Alcohol prohibited areas can be timed sites where alcohol consumption is permissible within designated times, usually between 10am and 10pm.
3. NSW Police are responsible for enforcing outdoor alcohol restrictions. The Local Government Act 1993 provides that NSW Police can confiscate and tip out alcohol where it is being consumed in an alcohol-free zone or alcohol prohibited area. There are no fines or criminal charges associated with drinking in a designated area, however the refusal to comply with handing over alcohol can result in a Police issued charge and/or fine for obstruction.
4. Under the Law Enforcement (Powers and Responsibilities) Act (LEPRA) 2002, the NSW Police have other powers for managing alcohol-related crime and antisocial behaviour, however these can result in fines and/or detainment.
5. Following the Council resolution of August 2024, City staff have been monitoring the data provided by the Bureau of Crime Statistics and Research (BOCSAR) and NSW Police, particularly in those areas where outdoor alcohol restrictions expired on 20 August 2024.
6. City staff have collated and analysed a full 12 months of BOCSAR data related to the number of outdoor alcohol-related assaults. BOCSAR uses data on outdoor alcohol-related (non-domestic violence) assaults when analysing violence associated with licensed venues and late-night precincts.
7. The table below provides an annual comparison over the last 3 years of the total number of outdoor alcohol restrictions within the City of Sydney and total number of outdoor alcohol related assaults within the City of Sydney:

| Period                        | Total number of alcohol-free zones and alcohol prohibited area | Total number of outdoor alcohol-related assaults |
|-------------------------------|----------------------------------------------------------------|--------------------------------------------------|
| October 2022 - September 2023 | 379                                                            | 327                                              |
| October 2023 - September 2024 | 379                                                            | 302                                              |
| October 2024- September 2025  | 219                                                            | 289                                              |

8. City staff engaged with Police Area Commands in the City of Sydney to obtain data and operational insights about any areas of concern where alcohol-related antisocial behaviour is impacting public safety and amenity. Local Police have identified a total of 12 locations across the local government area where they have concerns that the consumption of alcohol in public places is impacting on public safety and amenity.
9. In addition, residents, workers, community organisations and businesses have raised concerns about the removal of outdoor alcohol restrictions or emerging issues impacting on public safety and amenity within some areas.
10. As a result, the City has received a total of 24 new and valid applications for outdoor alcohol restrictions covering 28 locations across the city from residents, workers, local businesses, community organisations, and NSW Police. The applications include locations in Darlinghurst, Glebe, Newtown, Potts Point, Redfern, Surry Hills, Ultimo and Woolloomooloo.
11. City staff have undertaken an analysis of the BOCSAR data for the total number of outdoor alcohol restrictions over the last 3 years and the total number of locations proposed to be placed on public exhibition by suburb. The only suburbs for which the City has received new applications and the BOCSAR data is indicating minor increases in outdoor alcohol related assaults over this period are Darlinghurst and Glebe; see Attachment A.
12. Of the applications received, 13 request the establishment of new alcohol-free zones, and 8 request the establishment of new alcohol prohibited areas. In addition, there are 7 applications requesting that existing timed alcohol prohibited areas (10pm to 10am) be extended to 24 hours/7 days. A full list of all locations and the rationale provided by the applicant/s is available at Attachment B.
13. In accordance with the Local Government Act 1993 and Ministerial Guidelines on Alcohol-Free Zones, this report recommends that the list of proposed alcohol-free zones and alcohol-prohibited areas at Attachment B is placed on public exhibition for a minimum of 30 days.

## Key Implications

### Strategic Alignment - Sustainable Sydney 2030-2050 Continuing the Vision

14. Sustainable Sydney 2030-2050 Continuing the Vision renews the communities' vision for the sustainable development of the city to 2050. It includes 10 strategic directions to guide the future of the city, as well as 10 targets against which to measure progress. This report is aligned with the following strategic directions and objectives:
  - (a) Direction 7 - Resilient and diverse communities - Objective 7.5 People feel safe in the City.

**Risks**

15. We acknowledge the diverse expectations of our stakeholders in how we manage public places, including the community, businesses, ratepayers, regulatory bodies and elected officials. Our risk appetite seeks to manage public places for the benefit of the community, whilst being prepared to implement change. Outdoor alcohol restrictions are part of a larger program for managing alcohol consumption in the public domain.
16. We recognise that health and safety risks are inherent in all our activities and in the public domain for which we are responsible. We acknowledge that achieving a risk-free environment is not feasible, especially in the public domain. The City has a minimal risk appetite where the risks associated with activities can be effectively mitigated. The public exhibition process will give community, local business, local community organisations and NSW Police an opportunity to provide feedback on the list of proposed outdoor alcohol restrictions. This feedback will inform the proposed approach to maintaining public safety and amenity.

**Social / Cultural / Community**

17. The enforcement of alcohol restrictions can disproportionately impact priority communities who consume alcohol in public places and for whom liquor licensed premises are prohibitive due to cost and access. The establishment of alcohol restrictions requires evidence informed balance to managing alcohol-related impacts, antisocial behaviour and crime.
18. The City is collaborating with NSW government agencies and local community organisations to develop strategic responses to the health impacts of alcohol use for priority communities, including people experiencing homelessness and social housing residents.
19. The City continues to work with community legal centres, Aboriginal and Torres Strait Islander community-controlled organisations, community groups, social housing residents, local business and NSW Government agencies to determine appropriate strategies for managing alcohol consumption in the public domain.

**Economic**

20. Outdoor alcohol restrictions aim to reduce antisocial behaviour and increase public safety and amenity. Maintaining and promoting Sydney's safety can contribute to increased economic prosperity; create a thriving, globally connected community; and further enhance Sydney's international reputation as a great place to visit, live, work, invest and study.
21. The City of Sydney supports a safe and vibrant night-time economy including the consumption of alcohol in managed locations such as liquor licensed premises and alfresco dining areas where the responsible service of alcohol is practiced. Liquor licensed areas, including footway licenses and liquor licensed areas at outdoor events are exempt from outdoor alcohol restrictions.

**Financial Implications**

22. Sufficient funds are available for any signage updates required for new or changed outdoor alcohol restrictions in the in the operational budget for City Economy and Safety for the 2026/27 financial year.

**Relevant Legislation**

23. Local Government Act 1993.
24. Liquor Act 2007.
25. Roads Act 1993.

**Critical Dates / Time Frames**

26. All proposed alcohol restrictions are subject to a minimum of 30 days public exhibition and community consultation.

**Options**

27. The City of Sydney is required under the Local Government Act 1993 and NSW Ministerial Guidelines on Alcohol-free Zones 2025, to undertake a public consultation process for all proposals to establish an outdoor alcohol restriction to decide if it is appropriate.

**Public Consultation**

28. The list of proposed alcohol-free zones and alcohol prohibited areas at Attachment B will be placed on public exhibition for 30 days.
29. A survey will be conducted on Sydney Your Say and advertised in the 'Sydney Your Say' emailed newsletter.
30. Written notification about the public exhibition period will be sent to local residents, community groups, government agencies and business representatives, including social housing residents, Aboriginal community-controlled organisations, community legal centres, homelessness services, health services, Women's advocacy groups, faith-based groups, LGBTIQ+ community organisations, community and resident groups, youth services, local business chambers, sports clubs, backpacker Premises, liquor licensees, community garden groups.

31. During the public exhibition period City staff will consult with NSW Police, NSW Health and other relevant government agencies. Previously local councils were required to send a copy of their proposed alcohol-free zones to the NSW Anti-Discrimination Board as part of the public consultation process. However, the Ministerial Guidelines on Alcohol-free Zones were updated in August 2025 and only those local councils identified in Appendix 2 of the Guidelines are required to send a copy of their proposed alcohol-free zones to the NSW Anti-Discrimination Board. The City of Sydney has not been listed in Appendix 2.

**EMMA RIGNEY**

Executive Director City Life

Rebecca Martin, Safe City Manager