

Item 3.

Public Exhibition - Outdoor Alcohol Restrictions

File No: X128576

Summary

Within NSW, 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 community while not discriminate 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.

On 28 April 2026, following receipt of 24 new and valid applications from residents, workers, local businesses, community organisations, and NSW Police, approval was sought from Council to place on public exhibition outdoor alcohol restrictions covering 28 locations across our local area. At the meeting it was resolved that:

- (B) *Council approve the 30-day public exhibition of the proposed alcohol-free zones and alcohol prohibited areas in Woolloomooloo for a 4-year period as outlined in Attachments B and C to the subject report;*
- (C) *Council defer consideration of the 30-day public exhibition of the remaining 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*
- (D) *the Chief Executive Officer be requested to prepare a further report for Councillors regarding the remaining applications for potential alcohol-free zones and alcohol prohibited areas, prior to the consideration of public exhibition.*

The 3 proposed alcohol prohibited areas in Woolloomooloo have been placed on public exhibition until 22 June 2026.

City staff have reviewed the remaining new and valid applications for outdoor alcohol restrictions covering 25 locations across our local government area and propose that a total of 18 locations be placed on public exhibition.

When developing the list of proposed alcohol-free zones and alcohol-prohibited areas on City streets and public spaces to be placed on public exhibition, City staff ensured that the area meets one or more of the following criteria:

- (i) Locations with increasing incidents of alcohol-related crime and assaults outdoors – these were identified using NSW Bureau of Crime Statistics and Research crime data for alcohol-related (24hr) assaults for the previous 3 calendar years.
- (ii) Areas of concern as identified by NSW Police and/or community - this includes locations where there are persistent and ongoing concerns that the consumption of alcohol is impacting on community wellbeing, public safety and amenity.

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 A, is placed on public exhibition for a minimum of 30 days.

Recommendation

It is resolved that:

- (A) Council approve the criteria used to develop the revised list of proposed alcohol-free zones and alcohol-prohibited areas on City streets and public spaces noting that for an area to be placed on public exhibition it must meet one or more of the following criteria:
 - (i) locations with increasing incidents of alcohol-related crime and assaults outdoors – these were identified using NSW Bureau of Crime Statistics and Research crime data for alcohol-related (24 hour) assaults for the previous 3 calendar years;
 - (ii) areas of concern as identified by NSW Police and/or community - this includes locations where there are persistent and ongoing concerns that the consumption of alcohol is impacting on community wellbeing, public safety and amenity;
- (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 A and B to the subject report;
- (C) Council note the list of alcohol-free zones and alcohol-prohibited areas on City streets and public places that are not proposed to be placed on public exhibition as outlined in Attachments C and D to the subject report; and
- (D) 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

- Attachment A.** List of Proposed Outdoor Alcohol Restrictions for Public Exhibition
- Attachment B.** Maps of Proposed Outdoor Alcohol Restrictions for Public Exhibition
- Attachment C.** List of Outdoor Alcohol Restrictions Not Proposed for Public Exhibition
- Attachment D.** Maps of Outdoor Alcohol Restrictions Not Proposed for Public Exhibition
- Attachment E.** Number of Outdoor Alcohol Related Assaults and Number of Proposed Outdoor Alcohol Restrictions for Public Exhibition by Suburb

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 apply 24 hours a day or be timed where alcohol consumption is prohibited within designated times.
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 recorded offences associated with drinking alcohol in a designated area, however the refusal to comply 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. On 24 June 2024, Council resolved that when developing the list of proposed alcohol-free zones and alcohol-prohibited areas on City streets and public spaces to be placed on public exhibition City staff ensure that the area meets one or more of the following criteria:
 - (a) Locations with high incidents of alcohol-related crime and assaults (including domestic violence) – these were identified using NSW Bureau of Crime Statistics and Research crime data for alcohol-related (24hr) assaults for 2023.
 - (b) Areas of concern as identified through the review – this includes locations on land owned by Homes NSW, such as Waterloo Green, Tom Uren Place and Poet's Corner.
 - (c) Resident applications for new alcohol-free zones – the City is required to place on public exhibition all valid applications received for alcohol-free zones.
6. For the purposes of the report to Council on 27 April 2026, City staff developed the list of proposed alcohol-free zones and alcohol-prohibited areas on City streets and public spaces to be placed on public exhibition using the above criteria. However, to align with the methodology recommended by the NSW Bureau of Crime Statistics and Research, alcohol-related domestic and family violence data was excluded. The list included a total of 28 locations across the local government area.
7. At the meeting of the Community Services and Facilities Committee on 20 April 2026, Council sought advice regarding the obligation to exhibit proposals or whether Council could determine to not place proposals on public exhibition (following an assessment of the application).
8. Upon reviewing the legislation (Local Government Act 1993 – sections 632A and 644), City staff determined that under the relevant provisions of the Act Council has discretion as to whether a proposal is placed on public exhibition.

9. Currently there is no consistent and/or objective methodology available for local councils within New South Wales to use when determining which proposed alcohol-free zones and alcohol-prohibited areas should be placed on public exhibition.
10. Considering the Council decision, City staff have revised the criteria that has been previously used when developing the list of proposed alcohol-free zones and alcohol-prohibited areas on City streets and public spaces to be placed on public exhibition and have removed the criteria requiring that the City place on public exhibition all new and valid applications.
11. It is proposed that for an area to be placed on public exhibition it must meet one or more of the following criteria:
 - (a) Locations with increasing incidents of alcohol-related crime and assaults outdoors – these were identified using NSW Bureau of Crime Statistics and Research crime data for alcohol-related (24hr) assaults for the previous three calendar years. (Attachment E)
 - (b) Areas of concerns as identified by NSW Police and/or community - this includes locations where there are persistent and ongoing concerns that the consumption of alcohol is impacting on community wellbeing, public safety and amenity.
12. The 3 proposed alcohol prohibited areas in Woolloomooloo that have already been placed on public exhibition meet one or more of these criteria.
13. The proposed criteria have been applied to the remaining new and valid applications for outdoor alcohol restrictions received by the City covering 25 locations across our local government area.
14. Of these, a total of 18 locations would meet one or more of the criteria and it is recommended they are placed on public exhibition (Attachment A).
15. The remaining 7 locations would not meet one or more of the criteria and it is recommended that they are not placed on public exhibition (Attachment B).

Key Implications

Strategic Alignment - Sustainable Sydney 2030-2050 Continuing the Vision

16. 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 - Object 7.5 People feel safe in the City.

Risks

17. 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.
18. 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

19. 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 require evidence informed balance for managing alcohol-related impacts, antisocial behaviour and crime.
20. 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.
21. 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

22. 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.

23. 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

24. Sufficient funds are available for any signage updates required for new or changed outdoor alcohol restrictions in the draft operational budget for the 2026/27 financial year.

Relevant Legislation

25. Local Government Act 1993.
26. Liquor Act 2007.
27. Roads Act 1993.

Critical Dates / Time Frames

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

Options

29. 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 proposals to establish an outdoor alcohol restriction to decide if it is appropriate.

Public Consultation

30. The list of proposed alcohol-free zones and alcohol prohibited areas at Attachment A will be placed on public exhibition for 30 days.
31. A survey will be conducted on Sydney Your Say and advertised in the 'Sydney Your Say' emailed newsletter.

32. 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, faith-based groups, LGBTIQ+ community organisations, community and resident groups, youth services, local business chambers, backpacker premises, liquor premises, community garden groups.
33. During the public exhibition period City staff will consult with NSW Police, NSW Health and other relevant government agencies.

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