

AGENDA

COMMUNITY SAFETY COMMITTEE

Notice is hereby given that a meeting of the Community Safety Committee will be held in the Guringai Room, Civic Centre, Dee Why on

THURSDAY 14 FEBRUARY 2019

Beginning at 8:00 - 10:00 AM for the purpose of considering matters included in this agenda.

Committee Members

Cr Michael Regan	Mayor – Chairperson
Cr Sue Heins	Deputy Mayor
Cr Candy Bingham	
Cr Kylie Ferguson	
Cr Stuart Sprott	
Supt David Darcy	Northern Beaches Police Area Command
Karrah McCann	Catholic Care Diocese of Broken Bay
John Kelly	Community Northern Beaches
Ray Mathieson	Community Representative
Ryan Turner	Community Representative
Roberta Conroy	Community Representative
Harry Coates	Community Representative
Michelle Povah	Community Representative
Michelle Erofeyeff	Family & Community Services (FACS)
Drew Johnson	Manly Chamber of Commerce
Christina Franze	Manly Chamber of Commerce
Trish Bramble	Manly Warringah Women's Resource Centre
James Griffin MP	Member for Manly
Melissa Palermo	NASLHD Health Promotion
Doug Brooker	Northern Beaches Liquor Accord
Steve McInnes	Surf Lifesaving Sydney Northern Beaches
Belinda Volkov	Sydney Drug Education & Counselling Centre (SDECC)
Wayne Potter	Transport NSW Brookvale bus depot
Kara Hillier	Transport NSW Brookvale bus depot

Council Officer Contacts

Kylie Walshe	Executive Manager Community, Arts and Culture
Neil Williamson	Executive Manager Environmental Compliance
Will Wrathall	Team Leader, Community Development
Leanne Martin	Community Safety Coordinator
Helen Askew	Program Support Officer, Community Development

Quorum

A majority of members plus the Mayor or another Councillor.

**Agenda for a meeting of the Community Safety Committee
to be held on Thursday 14 February 2019
in the Guringai Room, Civic Centre, Dee Why
Commencing at 8:00 - 10:00 AM**

1.0	APOLOGIES	4
2.0	DECLARATION OF PECUNIARY AND CONFLICTS OF INTEREST	4
3.0	CONFIRMATION OF MINUTES OF PREVIOUS MEETING	
3.1	Minutes of Community Safety Committee meeting held 6 December 2018	4
4.0	AGENDA ITEMS	5
4.1	Police Report	5
4.2	Compliance Report	6
4.3	Presentation by Sydney Buses Transport for NSW	7
4.4	Special Commission of Inquiry into the Drug 'Ice'	8
4.5	Nitrous Oxide availability	17
4.6	Committee Priorities for 2019	23
5.0	GENERAL BUSINESS	

NEXT MEETING Thursday 11 April 2019

1.0 APOLOGIES

All members are expected to attend the Community Safety Committee meetings or tender their apologies to the Chair or Committee liaison person. If members are unable to attend they may delegate their position to another member of their organisation, with the approval of the Chair.

2.0 DECLARATION OF PECUNIARY AND CONFLICTS OF INTEREST

Members are advised of the following definitions of a "pecuniary" or "conflict" of interest for their assistance:

Section 442 of the Local Government Act, 1993 states that a "pecuniary" interest is as follows:

"(1) [Pecuniary interest] A Pecuniary interest is an interest that a person has in a matter because of a reasonable likelihood or expectation of appreciable financial gain or loss to the person or another person with whom the person is associated.

(2) [Remoteness] A person does not have a pecuniary interest in a matter if the interest is so remote or insignificant that it could not reasonably be regarded as likely to influence any decision the person might make in relation to the matter."

Members should reference the Local Government Act, 1993 for detailed provisions relating to pecuniary interests.

Council's Code of Conduct states that a "conflict of interest" exists when you could be influenced, or a reasonable person would perceive that you could be influenced by a personal interest when carrying out your public duty.

3.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

3.1 MINUTES OF COMMUNITY SAFETY COMMITTEE MEETING HELD 6 DECEMBER 2018

RECOMMENDATION

That the Minutes of the Community Safety Committee meeting held 6 December 2018, copies of which were previously circulated to all Members, be confirmed as a true and correct record of the proceedings of that meeting.

4.0 AGENDA ITEMS

ITEM 4.1	POLICE REPORT
REPORTING OFFICER	COORDINATOR, COMMUNITY SAFETY
TRIM FILE REF	2019/016366
ATTACHMENTS	NIL

ISSUE

To brief the Committee on crime and safety issues on the Northern Beaches by Superintendent David Darcy, Northern Beaches Police Commander.

BACKGROUND

Standing Agenda Item

RECOMMENDATION OF COORDINATOR, COMMUNITY SAFETY

That the information be received and noted.

ITEM 4.2	COMPLIANCE REPORT
REPORTING OFFICER	EXECUTIVE MANAGER ENVIRONMENTAL COMPLIANCE
TRIM FILE REF	2019/016478
ATTACHMENTS	NIL

ISSUE

To brief the Committee on current and topical Compliance issues related to community safety.

BACKGROUND

Standing Agenda Item

RECOMMENDATION OF EXECUTIVE MANAGER ENVIRONMENTAL COMPLIANCE

That the information is received and noted.

ITEM 4.3	PRESENTATION BY SYDNEY BUSES TRANSPORT FOR NSW
REPORTING OFFICER	COORDINATOR, COMMUNITY SAFETY
TRIM FILE REF	2019/016583
ATTACHMENTS	NIL

ISSUE

To inform the Committee about issues of safety and concern around public buses on the Northern Beaches.

BACKGROUND

Each meeting it is intended that a different representative from the wide range of agencies on the Committee be given an opportunity to address the Committee with the objective of educating the group on issues that concern their respective areas.

DISCUSSION

At this meeting Kara Hillier, Health & Safety Officer / Northern Region, State Transit Authority, based at Brookvale Bus depot, will deliver a 10 minute presentation, with an opportunity for discussion following if required.

RECOMMENDATION OF COORDINATOR, COMMUNITY SAFETY

That the information is received and noted.

ITEM 4.4	SPECIAL COMMISSION OF INQUIRY INTO THE DRUG 'ICE'
REPORTING OFFICER	COORDINATOR, COMMUNITY SAFETY
TRIM FILE REF	2019/020524
ATTACHMENTS	1 Enquiry Into Drug 'Ice' ToR 2 Enquiry Into Drug 'Ice' ToR Response

ISSUE

Special Commission of Inquiry into the Drug 'Ice' – limited preliminary consultation under the terms of reference – invitation to respond. Attachment 1.

BACKGROUND

Correspondence has been received advising Council about the pending Special Commission of Inquiry into the Drug 'Ice' and to consider and comment on the draft Terms of Reference, asking for a written response:

- Nominating the identity of any particular topic, subject matter or issue falling within the terms of reference, with a brief explanation, that you would like to be considered for possible inclusion in the scope of the inquiry.
- Commenting upon the draft proposal for the conduct of the Inquiry.

DISCUSSION

The response was due back to the Commission by 31 January 2019. Accordingly, a brief response (Attachment 2) was sent with a view to preparing a further submission once an Issues Paper is developed and public submissions invited for the enquiry proper. At that stage the Committee will be asked for their additional feedback and ideas.

RECOMMENDATION OF COORDINATOR, COMMUNITY SAFETY

That the information be received and noted.

Scanned 03-01-2019



Special Commission of Inquiry into the Drug 'Ice'

21 December 2018

Mayor Michael Regan
Northern Beaches Council
PO Box 82
Manly NSW 1665

General Manager Ray Brownlee

By email: council@northernbeaches.nsw.gov.au

Dear Mayor Regan and Mr Brownlee

Special Commission of Inquiry into the Drug 'Ice' - limited preliminary consultation under the terms of reference - invitation to respond

The Special Commission of Inquiry into the Drug 'Ice' has been established by Letters Patent dated 28 November 2018, a copy of which is enclosed. The terms of reference authorise me to inquire into and report to the Governor by 30 September 2019 on:

- A. The nature, prevalence and impact of crystal methamphetamine ('ice') in NSW.
- B. The adequacy of existing measures to target ice in NSW.
- C. Options to strengthen NSW's response to ice, including law enforcement, education, treatment and rehabilitation responses.

The Letters Patent also require me to consult with communities and stakeholders on or before 31 January 2019 on detailed terms of reference for the conduct of the Inquiry for consideration by the Premier.

Accordingly, I am writing to you in anticipation that Northern Beaches Council may be interested in the subject matter of this Inquiry, and to invite you to send me a written response, if you so wish:

- Nominating the identity of any particular topic, subject matter or issue falling within the above terms of reference, with a brief explanation, that you would like to be considered for possible inclusion in the scope of the Inquiry.
- Commenting upon the draft proposal for the conduct of the Inquiry (enclosed).

Any responses to this invitation should not exceed five (5) pages and be received **no later than close of business on 31 January 2019** at:

Special Commission of Inquiry into the Drug 'Ice'
C/- GPO Box 5341
SYDNEY NSW 2001
or
tracey.howe@csso.nsw.gov.au

Special Commission of Inquiry into the Drug 'Ice'
GPO BOX 5341 SYDNEY NSW 2001

T (02) 9224 5000 E tracey.howe@csso.nsw.gov.au

201804350 D2018/948192

2

Please note I am not seeking submissions at this preliminary stage. I will be publishing an Issues Paper and calling for detailed submissions to the Inquiry at a future date.

If you have any questions as to the Inquiry generally, or as to the matters above, please contact Ms Tracey Howe, Senior Solicitor at tracey.howe@csso.nsw.gov.au or 02 9224 5000.

Yours faithfully



Professor Dan Howard SC
Commissioner
Special Commission of Inquiry into the Drug 'Ice'

201804350 D2018/948192

NEW SOUTH WALES

ENTERED on the Record by me in Register of Patents No. 92 Page 260, this 28th day of November 2018.


DEPARTMENT OF PREMIER AND CABINET
SECRETARY

ELIZABETH THE SECOND, by the Grace of God Queen of Australia and Her other Realms and Territories, Head of the Commonwealth:

TO

Professor Daniel Howard SC

GREETING

By these our Letters Patent, made and issued in Our name by Our Governor on the advice of the Executive Council and under the authority of the *Special Commissions of Inquiry Act 1983* (NSW) and every other enabling power, We hereby authorise you as Commissioner to inquire into and report to Our Governor of the said State on:

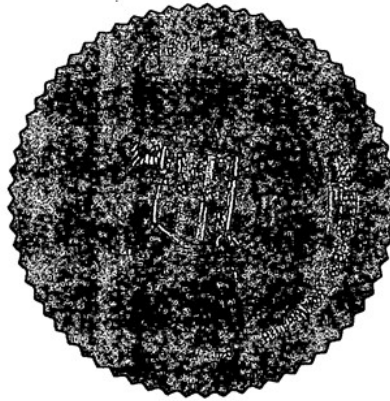
- A. The nature, prevalence and impact of crystal methamphetamine ("ice") in NSW.
- B. The adequacy of existing measures to target ice in NSW.
- C. Options to strengthen NSW's response to ice, including law enforcement, education, treatment and rehabilitation responses.

AND hereby establish a Special Commission of Inquiry for this purpose.

AND OUR further will and pleasure is that you do, as expeditiously as possible, but in any case on or before 31 January 2019, consult with communities and other stakeholders on detailed terms of reference for the conduct of your inquiry for consideration by the Premier.

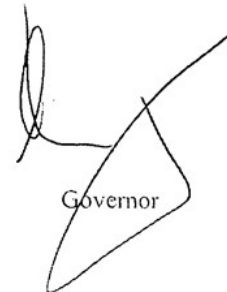
AND OUR further will and pleasure is that you do, as expeditiously as possible, but in any case on or before 30 September 2019 deliver your final report in writing of the results of your inquiry to the offices of the Premier and Our Governor in Sydney.

IN WITNESS, We have caused these Our Letters to be made Patent and the Public Seal of Our State to be hereunto affixed.



WITNESS His Excellency General The Honourable David Hurley,
Companion of the Order of Australia, Distinguished Service Cross,
(Retired), Governor of the State of New South Wales in the
Commonwealth of Australia.

Dated this 28th day of November 2018.


Governor

By His Excellency's Command,



Premier.

Special Commission of Inquiry into the Drug 'Ice'**Draft Proposals for the Conduct of the Inquiry**

Without limiting the approaches the Commissioner may take in conducting this Inquiry, the Commissioner at present proposes to:

1. Establish an expert advisory panel to consist of members including:
 - (i) At least one member with expertise in health, drug addiction, treatment and rehabilitation
 - (ii) At least one member with expertise in drug education and harm minimisation
 - (iii) At least one member with expertise in law enforcement
 - (iv) At least one member who represents and Aboriginal organisation or community group
 - (v) Such other members as the Commissioner considers would be of assistance to the Inquiry as members of the expert advisory panel
2. To consider relevant NSW and Commonwealth reports, the findings of past inquiries and other relevant existing material.
3. To consider relevant international literature (including reports, research, and other materials), experience and practice.
4. To prepare and publish as soon as practicable an Issues Paper and to call for public submissions on the Issues Paper to be made in good time so as to allow the Commissioner to complete the Final Report in accordance with the timeframe stipulated in the terms of reference.
5. At the Commissioner's discretion, to consult and/or meet as considered necessary by the Commissioner with various stakeholders and others, that may include, but is not limited to:
 - relevant government departments and agencies,
 - such representatives of Commonwealth, NSW State and Local Government as the Commissioner considers appropriate,
 - relevant Law and Justice Bodies and Officers,
 - Health Operational Bodies (such as Local Health Districts),
 - Public Hospitals,
 - public and private treatment and rehabilitation facilities,
 - Peak Bodies and Industry Groups,
 - Universities and Academic Organisations,
 - Advocacy Bodies,
 - experts in relevant disciplines,
 - relevant community groups, NGO's and other organisations,

- such other persons, organisations or groups as the Commissioner considers will relevantly inform the Inquiry
6. To conduct a number of formal hearings in public and, if appropriate, in private, during the course of the Inquiry to examine witnesses and other interested persons to the extent considered necessary by the Commissioner for the purposes of the Inquiry. Hearings will take place in Sydney and elsewhere as determined by the Commissioner, including but not limited to some of the particular regions where the drug 'ice' is identified as being a significant issue.
 7. To prepare and deliver a Final Report that considers the information, submissions and evidence gathered during the course of the Inquiry, and which makes appropriate findings and recommendations under the terms of reference.



Michael Regan
Mayor

23 January 2019

Professor Dan Howard SC
Commissioner
Special Commission of Inquiry into the Drug 'Ice'
c/- tracey.howe@csso.nsw.gov.au

Our Ref: 2019/022061

Dear Professor Howard

Response to the Special Commission of Inquiry into the Drug 'Ice' ToR

Thank you for the opportunity to respond to the limited preliminary consultation for the Special Commission of Inquiry into the Drug 'Ice'.

The Northern Beaches Local Government Area has not been impacted by methamphetamine/ice use to the same degree of certain regional and rural NSW communities. Nevertheless, we represent a large and diverse population (c.260,000) and there have been impacts felt by the community that warrant a response.

In the limited time-frame available brief consultations have been undertaken with local workers dealing with various aspects of ice use, including individual case management services, opioid clinic managers, domestic violence workers, homeless outreach workers and Police to establish specific local issues that may be included in the Commission's deliberations.

The following observations are made for consideration:

1. Improved protection for family and carers

Research should be undertaken regarding situations of inter-personal violence experienced by families or carers with a view of preventing violent outcomes from psychosis that occurs with ice overdose. Additionally, there should be an emphasis on improving opportunities for access to treatment and developing practical and readily available assistance for carers or families living with ice users. This was exemplified by the fatal stabbing of a mother by her son under the influence of ice in 2017. In addition, a murder of a young man by his friend using methamphetamine in a suburban street in 2018 was witnessed by many residents. Not only are these types of individual crimes tragedies resulting in widespread trauma they also result in increased fear and have a negative impact on the perception of safety amongst the community.

2. Improved housing options

A common outcome for chronic ice users is homelessness ranging from primary to tertiary homelessness. Reducing homelessness and increasing housing options is considered a vital component to improving the outcomes and treatment for ice users.

Establishing secure accommodation for Ice Users in the Northern Beaches is extremely challenging. We have a number of rough sleepers living in public spaces that are active Ice users. This disqualifies them from being offered public housing. Most are also not welcome in local crisis accommodation and until they are motivated to stop their Ice use they are not eligible for Detox programs. This inevitably increases the chaotic nature of their lives whilst placing increased pressure and risk on both Ice users and guardians of public space. Once an individual is without secure housing it becomes increasingly difficult to manage withdrawal and treatment.

3. Community education

Stigma towards Ice users, exacerbated by portrayals in the media prevent people from seeking treatment. Increased education on treatment options would be helpful. Exploring the myths and misconceptions of Ice with a view to promoting treatment access and reducing stigma should be considered.

4. Changing perceptions amongst users

Motivations for use, particularly amongst existing drug users appear to be quite varied. According to frontline workers Ice use is becoming more normalised and mainstream due to a number of factors including ease of use by smoking, cost and accessibility. As such, Ice is becoming considered more of a 'party' drug rather than a hard drug. Not all Ice users develop psychotic reactions but once a habit is formed it is extremely hard to stop. Counselling is still the main method of supporting withdrawal but requires motivation on behalf of the user, which is often challenging. Poly-drug use is common and also raises further complications regarding treatment.

5. More treatment and rehabilitation options including Outreach and Outpatient clinics

The Northern Beaches has just one public health funded drug and alcohol treatment facility. This does not cater to under 18s nor does it have capacity for inpatient treatment.

We would welcome the opportunity to respond more fully and in better consultation with our local services and Community Safety Committee, once the Issues Paper is available for public submissions.

Yours sincerely,



Michael Regan
Mayor

Enquiries: Will Wrathall, 9942 2224

ITEM 4.5	NITROUS OXIDE AVAILABILITY
REPORTING OFFICER	COORDINATOR, COMMUNITY SAFETY
TRIM FILE REF	2019/027108
ATTACHMENTS	1 ADF Nitrous Oxide Fact Sheet 2 ABC News - Nitrous Oxide Article - 13 December 2018

ISSUE

Nitrous Oxide is an easily accessible product. It is a potentially harmful gas that can be used as an inhalant.

This report discusses the need for strengthened legislation regarding stricter controls of access.

BACKGROUND

Nitrous Oxide is more commonly known as laughing gas, or it's street names; 'Nangs' or 'Bulbs'.

Inhalants are substances that are sniffed to give the user an immediate 'high'. These substances are easily absorbed through the lungs and carried to the brain, where they act to slow down the central nervous system, this means they are depressants.

Anecdotal evidence of used bulbs indicates that usage by young people has become relatively common in many parks and reserves across the Northern Beaches area. It is cheap, accessible and legally sold over the counter at supermarkets and convenience stores for the preparation of food and used for whipped cream chargers.

They were recently on sale in a popular supermarket and are readily available online for as little, or less, than \$1 each. Home delivery of cartons is also available in Sydney.

Dr Nadine Ezard, a clinical director at St Vincent's Hospital states, "Nitrous oxide is a low-risk recreational drug. The main problem is you can get permanent nerve damage if you use it at a really high dose." In extreme cases, users may develop an addiction, suffer a heart attack or overdose. (See Attachment 1 - ADF Fact Sheet)

DISCUSSION

Across Australia, the sale of nitrous oxide canisters to whip cream is legal. However, some States and Territories, including NSW, Victoria, South Australia and the Northern Territory, have made it an offence to supply them to anyone who they believe intends to misuse them.

Knowingly or recklessly supplying nitrous oxide as a party drug has been illegal in NSW since 2013. There is a significant degree of ambiguity in the law whereby the current laws are very difficult to police.

ABC News article (Attachment 2) provides a useful summary of the challenges of legislation together with the responsibility of retailers to help restrict their sale for misuse.

RECOMMENDATION OF COORDINATOR, COMMUNITY SAFETY

That the Community Safety Committee make representations to the State Government, to Local MPs and the Attorney General requesting that the laws around access to nitrous oxide be reviewed to reduce the possibility that they are used for illicit purposes, particularly amongst young people.

Nitrous oxide.

What is nitrous oxide?

Nitrous oxide is a colourless gas that is commonly used for sedation and pain relief, but is also used by people to feel intoxicated or high.¹

It is commonly used by dentists and medical professionals to sedate patients undergoing minor medical procedures.¹ It is also a food additive when used as a propellant for whipped cream, and is used in the automotive industry to enhance engine performance. It may be used to assist in treating alcohol withdrawal.² Nitrous oxide is classified as a dissociative anaesthetic and has been found to produce dissociation of the mind from the body (a sense of floating), distorted perceptions and in rare cases, visual hallucinations.²

How is it used?

The gas is inhaled, typically by discharging nitrous gas cartridges (bulbs or whippets) into another object, such as a balloon, or directly into the mouth.³ Inhaling nitrous oxide produces a rapid rush of euphoria and feeling of floating or excitement for a short period of time.³

Other names

Laughing gas, nitro, N₂O, NOS, nangs, whippet, hippy crack, buzz bomb, balloons.

Effects of nitrous oxide

There is no safe level of drug use. Use of any drug always carries risk. It's important to be careful when taking any type of drug.

Nitrous oxide affects everyone differently, based on:

- the amount taken
- the user's size, weight and health
- whether the person is used to taking it
- whether other drugs are taken around the same time.

The following effects may be felt almost immediately and can last for a few minutes: ^{1,2,3}

- euphoria
- numbness of the body
- sedation
- giddiness
- uncontrolled laughter
- reduction of co-ordination
- blurred vision
- confusion
- dizziness and/or light-headedness
- sweating
- feeling unusually tired or weak
- sudden death.

If a large amount of nitrous oxide is inhaled it can produce: ^{3,5,7,8}

- loss of blood pressure
- fainting
- heart attack.

Inhaling nitrous oxide can be fatal if you don't get enough oxygen, which is known as hypoxia.⁷

Long-term effects

Prolonged exposure to nitrous oxide may result in: ^{3,5,6}

- memory loss
- vitamin B12 depletion (long-term depletion causes brain and nerve damage)
- ringing or buzzing in the ears
- incontinence
- numbness in the hands or feet
- limb spasms
- potential birth defects (if consumed during pregnancy)
- weakened immune system
- disruption to reproductive systems
- depression
- psychological dependence
- psychosis.

Mixing with other drugs

There is no current evidence demonstrating that mixing nitrous oxide with other substances increases health risks. However, it is possible that combining the gas with stimulants and other drugs places additional pressure on the heart, increases blood pressure and may disrupt heart rate.⁶

Anecdotal evidence suggests that combining nitrous oxide with other drugs such as LSD or magic mushrooms may briefly intensify their effects.⁶

Mixing nitrous oxide and alcohol can cause:

- confusion
- feeling heavy or sluggish
- reduced concentration
- loss of body control.⁹

Health and safety

When inhaling directly from tanks or whippets (bulbs), the gas is intensely cold (-40C degrees) and can cause frostbite to the nose, lips and throat (including vocal cords).^{6,10} The gas is also pressurised, and injury can result from inhaling directly from a pressurised container. Releasing the nitrous oxide into a balloon helps to warm the gas and normalise the pressure before inhaling.^{5,8}

People can also harm themselves if they use faulty gas dispensers, which may explode. Dispensing several gas canisters consecutively with one cracker (a handheld device used to 'crack' a nitrous oxide bulb/whippet) can also cause cold burns to the hands.⁶

It is possible to reduce the risks associated with misusing nitrous oxide by not:

- using it alone or in dangerous or isolated places
- putting plastic bags over the head or impeding breathing in any way
- drinking alcohol or taking other drugs
- standing or dancing while inhaling, as the user may pass out.^{5,6}

Withdrawal

There are no significant withdrawal symptoms apart from potential cravings to use more nitrous oxide.¹

Nitrous oxide statistics

According to the Australian Trends in Ecstasy and Related Drug Markets 2016 Survey, around one third (36%) of a sample of people who regularly use ecstasy and related drugs reported recent nitrous oxide use in the six months preceding the survey. This is considerably higher than 2015 results (26%). Use was highest in Victoria (62%).¹⁰

References

1. Malamed, SF & Clark, MS. (2003). Nitrous oxide-oxygen: a new look at a very old technique. Journal of the California Dental Association, 31(5), 397-404.
2. Gillman, MA & Lichtigfeld, FJ. (2004). Enlarged double-blind randomised trial of benzodiazepines against psychotropic analgesic nitrous oxide for alcohol withdrawal. Addictive Behaviours, 29(6), 1183-1187.
3. Brands, B, Sproule, E & Marshman, J. (1998). Drugs and Drug Abuse. Toronto: Addiction Research Foundation.
4. Papanastasiou, C & Dietze, P. (2015). Just a laughing matter? Nitrous oxide use among a group of regular psychostimulant users in Melbourne, Victoria. Poster. Melbourne: Centre for Population Health, Burnet Institute.
5. Re-Solv. (n.d.). Nitrous Oxide.
6. Drug Science. (2012). Nitrous Oxide.
7. Garland, EL, Howard, MO, & Perron, BE. (2009). Nitrous oxide inhalation among adolescents: Prevalence, correlates, and co-occurrence with volatile solvent inhalation. Journal of Psychoactive Drugs, 41(4), 337-347.
8. UK Home Office. (2014). Guidance on restricting the supply of nitrous oxide for recreational use.
9. Zacny, JP, Camarillo, VM, Sadeghi, P, & Black, M. (1998). Effects of ethanol and nitrous oxide, alone and in combination, on mood, psychomotor performance and pain reports in healthy volunteers. Drug and Alcohol Dependence, 52(2), 115-123.
10. Australian trends in Ecstasy and Related Drugs Markets 2016: Findings from the Ecstasy and Related Drugs Reporting System (2016) retrieved from <http://www.drugtrends.org.au/reports/national-edrs-2016/>

Always call an ambulance on triple zero (000) if an overdose is suspected: tell the paramedic exactly what has been taken. Paramedics are there to help and will not involve the police unless there is a danger to themselves or others.

Other help, support services and resources

Links to further help and support • adf.org.au/help-support/

● Further information

DrugInfo • 1300 85 85 84

Free confidential information and advice about alcohol and other drugs (9am - 5pm, Mon-Fri)

Family Drug Help • 1300 660 068 • www.familydrughelp.com.au (Victorian-based)

Services are available to support those around you who may be affected by your drug use. As well as providing understanding, they can provide information about how best to help during treatment.

Family Drug Support • 1300 368 186 • www.fds.org.au (Australia-wide)



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 1300 85 85 84

adf.org.au

2/4/2019

Youth advocates call for better regulation of nitrous oxide canisters known as 'nangs' - ABC News (Australian Broadcasting Corporation)

WINEVS

Youth advocates call for better regulation of nitrous oxide canisters known as 'nangs'

ABC North Coast By Hannah Ross, Gemma Sapwell and Leah White

Updated Thu 13 Dec 2018, 6:50am

Youth advocates are calling for better regulation of the sale of nitrous oxide canisters, or "nangs", which are used for recreational drug use.

In schoolies hubs such as Byron Bay and the Gold Coast, the canisters can be found littered along the foreshore — the refuse of a night "on the nangs".

Co-ordinator of Byron Bay Schoolies Safety Response, Nicqui Yazdi, said she had seen an increase in the number of schoolies using the canisters, which are readily available from supermarkets and convenience stores.

Ms Yazdi said shopkeepers needed to be more responsible.

"The reality is, they just shouldn't be selling them in the first place," she said.

"Any shop owner, manager or anyone ordering stock would have to know exactly what that is being used for.

"Young people are forthcoming in telling us what they are using nangs for. I am sure that young people are going into shops and boasting about using them as well."

Cause for concern

The number of people using nitrous oxide is on the rise.

An annual survey of a focus group of New South Wales drug users carried out by the National Drug and Alcohol Research Centre (NDARC) showed the use of nitrous oxide in the group that jumped from 55 per cent in 2017 to 75 per cent in 2018.

This is despite the harmful effects of nitrous oxide becoming well known.

Side-effects range from vomiting and fainting to brain damage, hypoxia and sudden death from lack of oxygen.

NSW Health acting chief health officer, Jeremy McAnulty, said it was difficult to collect data on rates of hospitalisation or deaths from inhaling nitrous oxide because the body quickly eliminates the drug, meaning it rarely shows up in blood or urine tests.

Ms Yazdi said these health problems could be eliminated if police enforced the laws relating to the sale of nitrous oxide canisters.

Challenges with legislation

NSW laws state that it is an offence for someone to supply or sell nitrous oxide to another knowing it is to be used for human consumption. The maximum penalty is two years imprisonment.

Detective Chief Inspector Brendon Cullen from the Tweed-Byron Local Area Command (LAC) said enforcing the laws is challenging as the substance crosses a number of legislative boundaries.

"There is the possibility that it is an offence under the Drugs Misuse and Trafficking Act, but how do police prove that it is being used for psychoactive effect unless someone actually states that to police?" he said.

2/4/2019 Youth advocates call for better regulation of nitrous oxide canisters known as 'nangs' - ABC News (Australian Broadcasting Corporation)

"You have to prove beyond reasonable doubt that it is being misused. I would say that the legislation poses difficulties."

Detective Chief Inspector Cullen said officers from his LAC had in the past seized a number of the nitrous oxide canisters at local music festivals, including Splendour in the Grass, but charges were not laid.

Indeed, data from the NSW Bureau of Crime Statistics and Research confirmed even when police laid charges it was difficult to prosecute.

During the 12 months to June 2018, only five people across the state were charged with knowingly supplying a psychoactive substance for human consumption. All of these people were found not guilty.

Regulation of the sale of nitrous oxide canisters also falls outside the jurisdiction of the NSW Department of Fair Trading, with the Department making the following statement:

Small gas canisters are legitimately sold for purposes such as whipping cream, use in high performance cars or, short-term pain relief with medical supervision.

Under Australian Consumer Law, Fair Trading does not ban products that have a legitimate purpose but are misused.

As an example, knives and baseball bats are goods that can be used inappropriately to harm others — Fair Trading does not ban them.

Users of nitrous oxide or "nangs" are intentionally misusing a product that has a legitimate use.

Responsibility of retailers

Criminal lawyer John Sutton said if the Government were serious about preventing the abuse of nitrous oxide canisters it could tweak legislation to further restrict their sale.

"It's analogous to when one goes into a hardware store and all the paints are locked away to prevent people from using them to graffiti buildings. It's a point-of-sale question," he said.

"It's very much a grey area and will require someone to put some thought to it, which doesn't appear to have occurred at this stage."

Jane Lavery from the NSW Business Chamber said although regulating the sale of potentially dangerous products was not part of its remit, retailers were not averse to being "part of the solution".

"It does come back to some level of responsible service and for an owner of a business to stock something that's a product that they know has a capacity to be abused is one thing and they can certainly manage that," Ms Lavery said.

"It certainly does sound like an area that needs some attention and that needs groups of business leaders to work with those in the community to address it."

Ms Yazdi said these sounded like empty words.

"One shop in particular in Byron Bay, they are at point-of-sale, they are literally at eye-view of people walking into that shop. Our calls have been ignored essentially," she said.

Topics: drugs-and-substance-abuse, youth, adolescent-health, retail, drug-offences, drug-use, health, lismore-2480, byron-bay-2481, tweed-heads-2485, surfers-paradise-4217

ITEM 4.6	COMMITTEE PRIORITIES FOR 2019
REPORTING OFFICER	TEAM LEADER, COMMUNITY DEVELOPMENT
TRIM FILE REF	2019/052290
ATTACHMENTS	NIL

EXECUTIVE SUMMARY

ISSUE

To determine safety priorities as identified by members of the Community Safety Committee to provide strategic direction for meetings in 2019.

BACKGROUND

As a Committee with a large and diverse membership, it is important to provide opportunities for group discussion to ensure all voices are heard, to build a consultative and collaborative approach to Committee meetings and to determine strategic direction for future meetings.

DISCUSSION

As it is the first meeting for 2019, it is proposed that each Committee member present community safety issues that are a priority for their organisation or community for the information of the Committee.

Committee members are invited to prepare and share these priorities with the group at the meeting, up to 5 minutes per Committee member. These priorities will be documented and inform future agenda items and presentations to the Committee.

RECOMMENDATION OF TEAM LEADER, COMMUNITY DEVELOPMENT

That the identified priorities be collated and used to inform future Committee Agendas.
