

# NORTHERN BEACHES COUNCIL

## Memo

**To:** Dick Persson, Administrator

**From:** Helen Lever, General Manager Customer & Corporate Division

**Date:** 21 August 2017

**Subject:** **Amendment to Attachment**  
**Item 7.1 – Proposed Establishment and Re-establishment of Various Alcohol Free Zones**  
**Item 7.2 –Re-establishment of Various Alcohol Free Zones**

**Record Number** 2017/297779

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Council staff have identified a minor omission in the maps for the proposed Alcohol Free Zones in report Item 7.1 Proposed Establishment and Re-establishment of Various Alcohol Free Zones and Item 7.2 Re-establishment of Various Alcohol Free Zones.

The key for all maps should say ***“Alcohol Free Zones Applicable only to public roads, footpaths and public carparks”***

For your information the reports and updated maps for Items 7.1 and 7.2 are attached.

Regards



Helen Lever  
General Manager Customer & Corporate

<b>ITEM 7.1</b>	<b>PROPOSED ESTABLISHMENT AND RE-ESTABLISHMENT OF VARIOUS ALCOHOL FREE ZONES</b>
<b>REPORTING MANAGER</b>	<b>EXECUTIVE MANAGER COMMUNITY ENGAGEMENT &amp; COMMUNICATIONS</b>
<b>TRIM FILE REF</b>	<b>2017/255661</b>
<b>ATTACHMENTS</b>	<b>1 Northern Beaches Local Area Command NSW Police – letter dated 27 July 2017</b> <b>2 Map Proposed AFZ Church Point</b> <b>3 Map Proposed AFZ Newport Residential</b> <b>4 Map Proposed AFZ Newport Beach</b> <b>5 Map Proposed AFZ Avalon Beach</b> <b>6 Map Proposed AFZ Mona Vale</b> <b>7 Map Proposed AFZ Dee Why</b> <b>8 Map Proposed AFZ Palm Beach</b> <b>9 Map Proposed AFZ Freshwater</b>

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## EXECUTIVE SUMMARY

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### PURPOSE

To commence consultation on proposed establishment and re-establishment of Alcohol Free Zones (AFZs) according to the requirements of the Local Government Act.

### SUMMARY

By establishing AFZs, Council can assist the Police in controlling anti-social behaviour related to alcohol consumption. AFZs can apply to public roads, footpaths and car parks.

Northern Beaches Local Area Command NSW Police (NBLAC) have provided written recommendations regarding establishing AFZs.

A resolution of Council is required to commence exhibition of proposed AFZs, prior to any adoption.

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### RECOMMENDATION OF GENERAL MANAGER CUSTOMER & CORPORATE

That Council approve public exhibition of the following proposed Alcohol Free Zones for a period of 30 days:

- |                 |                       |
|-----------------|-----------------------|
| - Church Point  | - Newport Residential |
| - Newport Beach | - Avalon Beach        |
| - Mona Vale     | - Dee Why             |
| - Palm Beach    | - Freshwater          |
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## REPORT

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### BACKGROUND

The Local Government Act 1993 (the Act) enables councils to establish AFZs in order to help manage the consumption of alcohol in public places.

Once established, drinking of alcohol is prohibited twenty-four hours a day in an AFZ, which the Police are responsible for enforcing.

AFZs can only be established to include public roads, footpaths and car parks, and may remain in force for up to four years. The current AFZs in Church Point, Newport, Avalon, and Mona Vale expire on 30 September 2017.

Following meetings with Council staff, the NBLAC provided written recommendations as shown in attachment 1, regarding re-establishment of AFZs in Church Point, Newport, Avalon, and Mona Vale, the establishment of a new AFZ at Palm Beach, a new AFZ at Freshwater Village and the amendment of an existing AFZ at Dee Why.

To date the implementation of these controls has been effective in the curbing of anti-social behavior and the NBLAC advise that there has been success in all areas where the former AFZs were applied.

Council staff and Police have assessed areas that have been subject to previous alcohol restrictions and advise that the following AFZs be re-established:

- **Church Point** – from the cargo wharf in McCarrs Creek Road to the eastern end of the Church Point carpark ; and includes all public roads, footpaths and car parks bounded by this area. This is illustrated in attachment 2.
- **Newport Residential** – from Barrenjoey Road in the east, bounded by Gladstone Street in the North; Beaconsfield Street in the South; Pittwater in the West; and includes all public roads, footpaths and car parks bounded by this area. This is illustrated in attachment 3.
- **Newport Beach** - Extends through the main shopping centre and is bounded by the carparks parallel to Barrenjoey Road, Foamcrest Avenue, Seaview Avenue and Neptune Street to the North; and includes all public roads, footpaths and car parks bounded by this area. This is illustrated in attachment 4.
- **Avalon Beach** – Extends across the main shopping centre, and is bounded in the north by Central Avenue, on the east by Barrenjoey Road and adjacent carparks and Surfside Avenue, in the south by Dress Circle Road and Bellevue Road at the south, and all public roads, footpaths and car parks contained within this area. This is illustrated in attachment 5.

Council staff and Police propose to amend the AFZs in the following areas:

- **Mona Vale** – This AFZ has been reduced, and now includes the main shopping centre and is bounded by the junction of Darley Street and Pittwater Road to the north, along Surfview Road to the East, through to close to the junction of Mona Vale Road and Pittwater Road; and all public roads, footpaths and car parks contained within this area. This is illustrated in attachment 6.
- **Dee Why** – This AFZ has been increased to also include Pittwater Road, and Pacific Parade West, Oaks Avenue and Howard Avenue, all to the intersection of Avon Parade, and all public roads, footpaths and car parks contained within this area. This is illustrated in attachment 7.

Council staff and Police propose to establish new AFZs in the following areas:

- **Palm Beach** - Ocean Road from the rock pool end, through to the junction with Palm Beach Road; and all public roads, footpaths and car parks contained within this area. This is illustrated in attachment 8.
- **Freshwater** - This area is bounded by Lawrence Street from Oliver Street in the West, Oceanview Road in the north, down to Undercliff Road in the south, including the public carpark adjacent to Freshwater Beach and next to the Freshwater Surf Life Saving Club, and all public roads, footpaths and car parks contained within this area. This is illustrated in attachment 9.

The Alcohol Free Zones referred to in the attached maps are only applicable to public roads, footpaths and car parks contained within the areas identified in the maps.

## CONSULTATION

In order to determine if the proposed AFZs are appropriate Council is required to undertake a public consultation process that involves all of the following:

- Publishing a newspaper notice inviting representations or comments within 30 days
- Send a copy of the proposal to the Police Local Area Commander
- Send a copy to liquor licensees and secretaries of clubs of premises that border on, or adjoin, or are adjacent to the proposed AFZ
- Send a copy of the proposal to any known organisation representing or able to speak on behalf of an identifiable Aboriginal or culturally and linguistically diverse group within the local area

A resolution of Council is sought to undertaken this consultation.

## TIMING

Should Council resolve, then a 30 day consultation process will be carried out in accordance with Ministerial Guidelines. Submissions will be reviewed and a further report will be made to Council in order to establish new AFZs.

## FINANCIAL IMPACT

There will be a cost for the re-skinning of existing signs and installation of new signage to be covered by the Environmental Compliance Business Unit.

## SOCIAL IMPACT

Establishing AFZs will aid the management of consumption of alcohol in public places across the Northern Beaches Council Local Government Area.

## ENVIRONMENTAL IMPACT

Nil



## NEW SOUTH WALES POLICE

Northern Beaches Local Area Command

Licensing Unit

3 Belgrave St Manly NSW 2095

Phone: (02) 9976 8042

27 July 2017

Northern Beaches Police have been requested by the Northern Beaches Council to make comment on the re-establishment of Alcohol Free Zones (AFZ) located in the former Pittwater and Warringah Council geographical area.

NSW Police has a crucial interest in the ensuring the safety of the community and their property. By using recommendations contained within this document, any person who does so acknowledges that:

- It is not possible to make areas evaluated by NSW Police absolutely safe for the community and their property
- Recommendations are based upon information provided to, and observations made by NSW Police at the time the document was prepared.
- The contents of the evaluation are not to be copied or circulated otherwise than for the purposes of Northern Beaches Council.

NSW Police hope that by using the recommendations contained within this document, criminal activity will be reduced and the safety of the community and their property will be increased. However, it does not guarantee that all risks have been identified or that the area evaluated will be free from criminal activity if its recommendations are followed.

Northern Beaches Police have assessed the previous declared areas of the former Pittwater Council and request that the following comments are taken into consideration.

After assessing each of the areas designated as declared areas, police proclaim success in all. Other locations have been assessed where police believe the footprint of the area may be increased slightly.

NSW Police are in support of all the chosen areas for the Alcohol Free Zones (**Attachment 1**), except for the Mona Vale area.

NSW Police request the size of the Alcohol Free Zone in the Mona Vale area be reduced due to the reduction in alcohol related street offences occurring in the Mona Vale area. (**Attachment 7**)

NSW Police received (**Attachment 3**) and were requested to make recommendations for the Freshwater area:

- NSW Police agree with the AFZ at corner of Lawrence and Oliver then down to Moore Rd. However instead of only covering certain streets, NSW Police recommend

Attachment 6 in the Report

1 of 2

Attachment 9 in the  
Report

that the area should be bounded by – Undercliff X Charles then Ocean View Rd and Charles Street and all street / areas east of this boundary. (Attachment 4)

Police request that an Alcohol Free Zone be added at the southern end of Palm Beach, along Ocean Rd through to Palm Beach Road. This area is renowned for hoodlums to congregate, drink alcohol and commit offences in their vehicles.

Police also request that the Alcohol Free Zone in the Dee Why CBD be increased due to the ongoing issue of people drinking in and around the street after purchasing alcohol from one of four bottle shops in the Dee Why CBD. Police are of the opinion the three streets to be included are: Pacific Pde west cross of Pittwater Rd to intersection of Avon Pde. Oaks Ave west cross of Pittwater Rd to intersection of Avon Pde and finally Howard Ave west cross of Pittwater Rd to intersection of Avon Pde (Attachment 1).

Should any information relating to the re-establishment of Alcohol Free Zones be required, don't hesitate to contact Licensing Office on 9976 8080.

Attachment 7 in the Report



Leanne JOHNSTON  
A/Sergeant  
Northern Beaches LAC  
Licensing Unit  
PH: 9976 8042

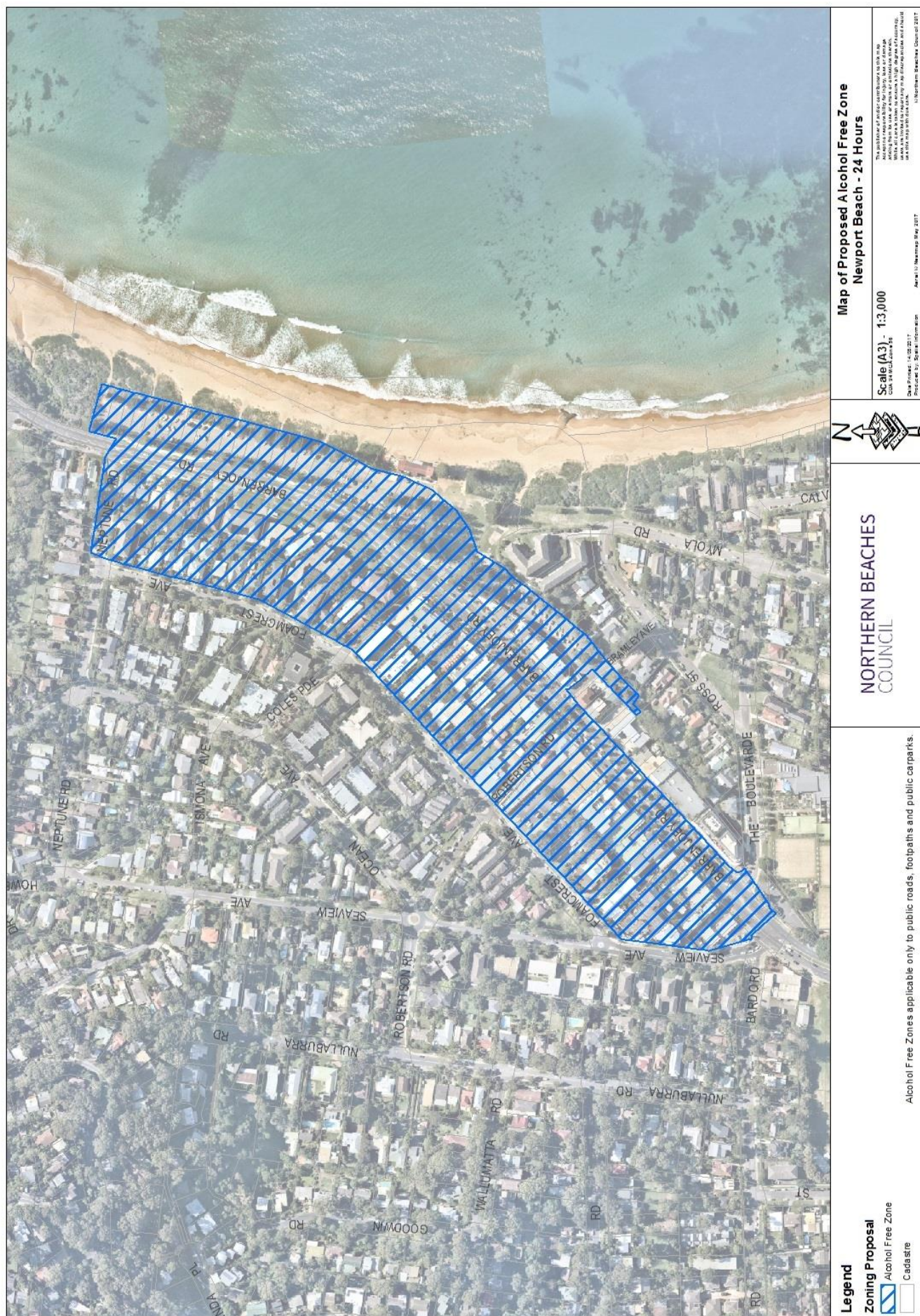
**Please note:**

The attachments referred to in this letter do not correspond with the attachments listed in Report 7.1 *Proposed Establishment and Re-establishment of Various Alcohol Free Zones* in the Council Meeting Agenda.

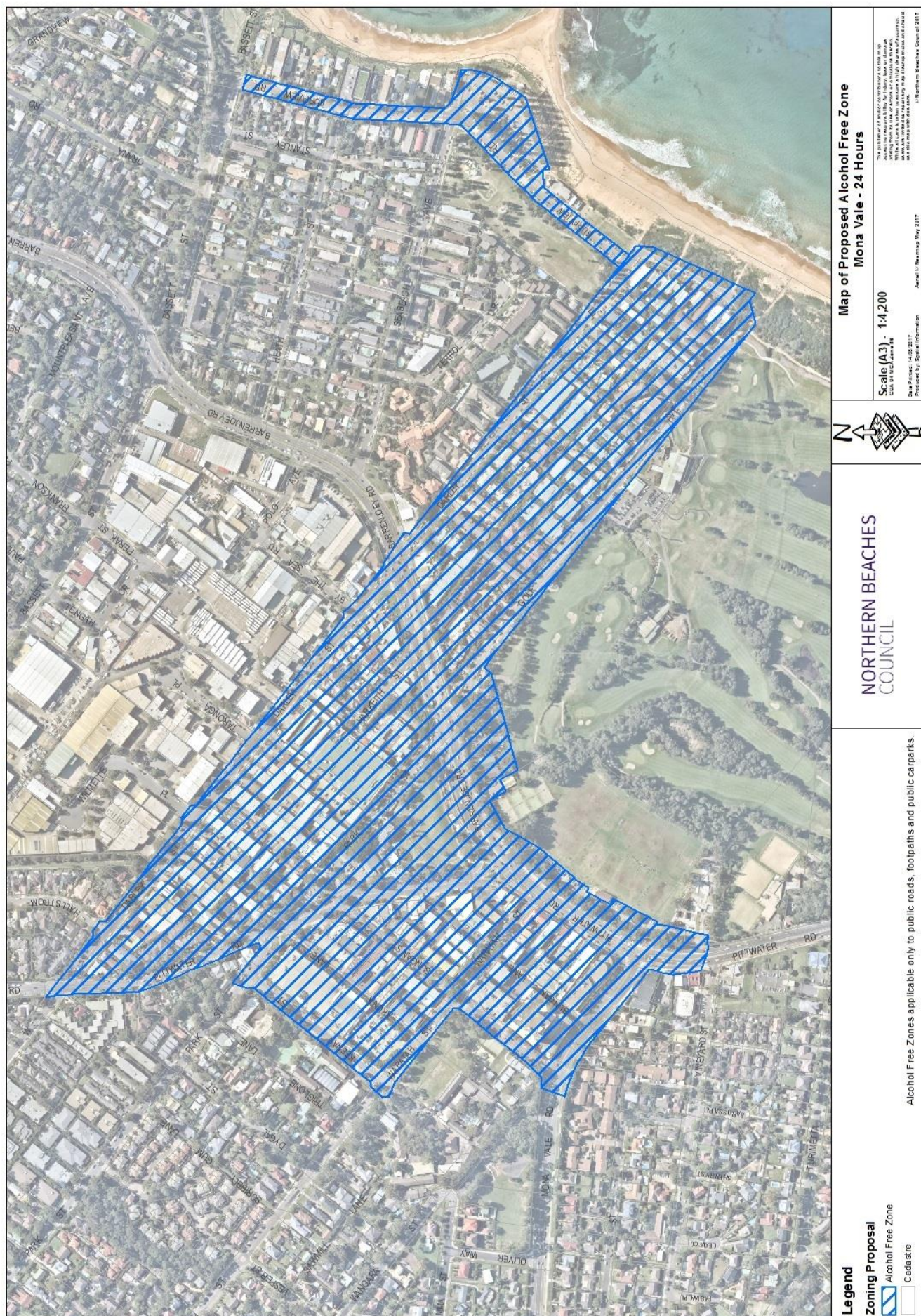
Relevant attachment numbers have been noted above in red.





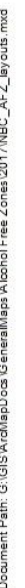












<b>ITEM 7.2</b>	<b>RE-ESTABLISHMENT OF VARIOUS ALCOHOL FREE ZONES</b>
<b>REPORTING MANAGER</b>	<b>EXECUTIVE MANAGER COMMUNITY ENGAGEMENT &amp; COMMUNICATIONS</b>
<b>TRIM FILE REF</b>	<b>2017/255798</b>
<b>ATTACHMENTS</b>	<b>1 Map Proposed AFZ Narrabeen - Pittwater Road 2 Map Proposed AFZ Belrose - Frenchs Forest 3 Map Proposed AFZ Forestville Shopping Centre 4 Map Proposed AFZ Collaroy - Pittwater Road 5 Map Proposed AFZ Cromer Community Centre 6 Map Proposed AFZ Warringah Mall Bus Stops</b>

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### EXECUTIVE SUMMARY

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#### PURPOSE

To re-establish nominated Alcohol Free Zones (AFZs) according to the requirements of the Local Government Act.

#### SUMMARY

AFZs are a public space management tool that assists in combatting anti-social behavior in relation to excessive alcohol consumption. By establishing AFZs, Council can assist the Police in controlling anti-social behaviour related to alcohol consumption. AFZs apply to public roads, footpaths and car parks.

Public consultation occurred from 1 to 30 April 2017, including direct consultation with NSW Police Northern Beaches Local Area Command (NBLAC).

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#### RECOMMENDATION OF GENERAL MANAGER CUSTOMER & CORPORATE

That Council approve the establishment of Alcohol Free Zones for a further four year period covering the public roads, footpaths and carparks within the following locations:

- A. Narrabeen Lakes - Pittwater Road between Ocean Street to the south and the bridge over Narrabeen Lake to the north.
  - B. Belrose - bounded by Blackbutts Road to the south, Glen Street and the newly constructed shopping precinct to the north, Glen Street to the west and Pringle Avenue to the east.
  - C. Forestville Shopping Precinct.
  - D. Collaroy CBD - Pittwater Road between Brissenden Avenue to the south and Jenkins Street to the north.
  - E. Fisher Road north at Cromer Community Centre.
  - F. Warringah Mall Bus Stops.
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## REPORT

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### BACKGROUND

The Local Government Act 1993 (the Act) enables councils to establish and re-establish AFZs in order to help manage the consumption of alcohol in public places.

Once established, drinking of alcohol is prohibited twenty-four hours a day in an AFZ, which the Police and designated enforcement officers are responsible for enforcing when required.

The proposed AFZs include all designated public roads, footpaths and car parks, and will remain in force for up to four years after the date of official public notification.

To date the implementation of these controls has been effective in the curbing of anti-social behavior and the Police advise that there has been success in all of the existing AFZ areas that are being proposed.

At the meeting on 28 February 2017, Council resolved to commence a public exhibition period for re-establishment of the described AFZs. As a result of the consultation twenty submissions were received. Overall the submissions fully supported the proposed AFZs.

There was some confusion about impacts on outdoor eating areas – AFZs do not impact on approved liquor consumption in designated outdoor eating areas. Other concerns regarded the enforcement of the zones and some also requested additional locations to be considered. One of these, at Freshwater Village, will now be subject of a separate proposal. Other suggestions are located in parks and reserves and would be classified as an Alcohol Prohibited Areas (APA). APAs are not subject to the statutory establishment process of an AFZ and can be designated separately in consultation with Police. The suggestions of places such as Dee Why Beach Reserve and Narrabeen Lagoon will be included in a future review to be undertaken of all APAs across the Council. A letter of support for the proposed AFZs was received from NBLAC.

### PROPOSAL

The following localities to be re-established as AFZs, and which can be viewed on the attached maps are:

1. Narrabeen Lakes – An updated area would be along Pittwater Road between Ocean Street to the south and the bridge over Narrabeen Lake to the north. This is illustrated in attachment 1.
2. Belrose – An updated area would be bounded by Blackbutts Road to the south, Glen Street and the newly constructed shopping precinct to the north, Glen Street to the west and Pringle Avenue to the east. This is illustrated in attachment 2.
3. Forestville Shopping Precinct would remain unchanged. This is illustrated in attachment 3.
4. Collaroy CBD – An updated area would be an Alcohol Free Zone along Pittwater Road between Brissenden Avenue to the south and Jenkins Street to the north. This is illustrated in attachment 4.
5. Fisher Road north around Cromer Community Centre. This is illustrated in attachment 5.
6. Warringah Mall Bus Stops area on Pittwater Road. This is illustrated in attachment 6.

It was proposed during the public consultation period to renew and update the AFZs for:

- Dee Why CBD – an updated area would be bounded by Pacific Parade to the south; Richmond Avenue to the north, Avon Road to the west.

- Dee Why – Pittwater Road between May Road to the south and Lismore Avenue to the north to remain Alcohol Free Zone.

But the NBLAC Licensing Unit have requested that additional areas be increased to include Pacific Parade west cross of Pittwater Road to intersection of Avon Parade. Oaks Avenue west cross of Pittwater Road to intersection of Avon Parade and finally Howard Avenue west cross of Pittwater Road to intersection of Avon Parade due to the ongoing issue of people drinking in and around these streets after purchasing alcohol. The Dee Why AFZs will be incorporated into one map and has been included with the report on Council AFZs being presented at the 22 August Council meeting.

The Alcohol Free Zones referred to in the attached maps are only applicable to public roads, footpaths and car parks contained within the areas identified in the maps.

## **CONSULTATION**

Public exhibition period for 30 days (from 1 to 30 April) was undertaken outlining the proposed areas for AFZs and Alcohol Prohibited Areas (APAs), as required under the Act. As outlined in the Ministerial Guidelines on AFZs, Council wrote to the Local Area Commander Northern Beaches Police and all liquor licensees that fall within the proposed AFZs.

The proposal details were placed on public exhibition on the Council 'Your Say' page, in the Manly Daily newspaper, e-newsletters and in notification sent out via email to those registered on the community engagement register. All contained links to the maps of these sites.

## **TIMING**

If Council resolves to re-establish the proposed AFZs, Council must then publicly notify their establishment. The zones can then be activated seven (7) days after this advertisement provided the appropriate signage is installed. They would then be in force for four years after the date of the public notification.

## **FINANCIAL IMPACT**

There will be a cost for the re-skinning of existing signs and installation of new signage to be covered by the Environmental Compliance Business Unit.

## **SOCIAL IMPACT**

Establishing AFZs will aid the management of problematic consumption of alcohol in public places across the Northern Beaches Council Local Government Area.

## **ENVIRONMENTAL IMPACT**

Nil









