



northern
beaches
council

AGENDA

COMMUNITY SAFETY COMMITTEE

Notice is hereby given that an Ordinary Meeting of the Community Safety Committee will be held at Dee Why PCYC on

Thursday 12 April 2018

Beginning at 8.00am for the purpose of considering and determining matters included in this agenda.

To Committee Members

Cr Michael Regan	Mayor – Chairperson
Cr Candy Bingham	Deputy Mayor
Cr Kylie Ferguson	
Cr Sue Heins	
Supt David Darcy	NB Police Area Command
Melissa Palermo	NASLHD Health Promotion
Emily Fam	Catholic Care
Belinda Volkov	SDECC
John Kelly	Community Northern Beaches
Doug Brooker	NB Liquor Accord
Ben Perrott	Transport NSW Brookvale bus depot
James Griffin MP	Member for Manly
TBC	Surf Lifesaving NB
TBC	Corrections NSW
Julie Stewart	Manly Warringah Women's Resource Centre
Drew Johnson	Manly Chamber of Commerce
Ray Mathieson	Community Representative
Ryan Turner	Community Representative
Roberta Conroy	Community Representative
Harry Coates	Community Representative
Michelle Povah	Community Representative

Council Officer Contacts

Kylie Walshe - Executive Manager Community, Arts and Culture
Neil Williamson - Executive Manager Compliance
Leanne Martin - Community Safety Co-ordinator

Quorum

Majority of members (excluding vacant positions)

**Agenda for an Ordinary Meeting of Community Safety Committee
to be held on 12 April 2018
at the Dee Why PCYC, 40 Kingsway
Commencing at 8.00am**

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5.4	Strategies to deal with Under Age Drinking - Discussion	

NEXT MEETING - 7 June 2018

1.0 APOLOGIES

All apologies must be received and accepted from absent committee members and a leave of absence from the Committee meeting may be granted.

- Welcome to new committee
 - Introductions
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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.
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3.0 REVIEW AND ENDORSEMENT OF CODE OF CONDUCT

RECOMMENDATION

That the information be received and noted.

4.0 AGENDA ITEMS

ITEM 4.1	POLICE REPORT
REPORTING MANAGER	NA
TRIM FILE REF	
ATTACHMENTS	NIL

EXECUTIVE SUMMARY

PURPOSE

Presentation to committee on overview of crime and safety issues on Northern Beaches by Superintendent David Darcy, Northern Beaches Police Area Commander.

SUMMARY

RECOMMENDATION

That the information be received and noted.

REPORT

5.0 GENERAL BUSINESS

ITEM 5.1	ALCOHOL PROHIBITED AREAS AND ALCOHOL FREE ZONES
REPORTING MANAGER	Kylie Walshe
TRIM FILE REF	2018/118582
ATTACHMENTS	AFZ/APA EDUCATION POSTER

EXECUTIVE SUMMARY

PURPOSE

To inform the members on the differences between an Alcohol Free Zone (AFZ) and an Alcohol Prohibited Area (APA).

SUMMARY

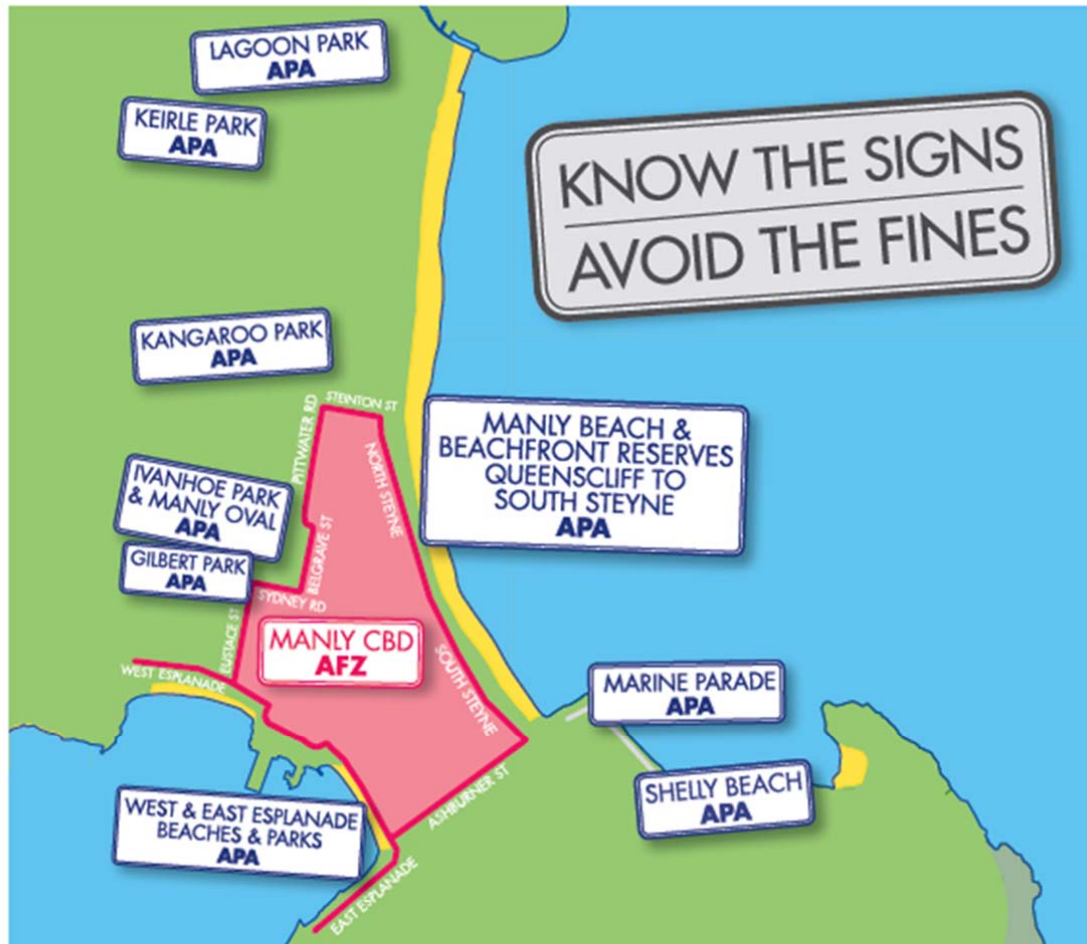
The establishment of Alcohol Free Zones and Alcohol Prohibited Areas are both dealt with under S644 of the Local Government Act. They also are subject of the same levels of law enforcement powers and associated penalties. However the Act makes a distinction between the two. The differences can create community confusion. Educating the committee on these distinctions will assist in debating the need and the approach required for these type of areas.

RECOMMENDATION

That the information be received and noted.

ATTACHMENT 1 – AFZ/APA EDUCATION POSTER

Manly Council aims to promote safe & healthy lifestyle activities within its public spaces.



ALCOHOL FREE ZONE (AFZ) & ALCOHOL PROHIBITED AREA (APA)

Where are these alcohol restricted locations?

The **AFZ** applies to the public roads, footpaths and carparks of Manly's CBD as shown on the map.

APAs apply to ALL parks, ovals, beaches and reserves signposted as alcohol prohibited in Manly and surrounding suburbs, including those shown in the map.

What does this mean for me?

It is illegal to consume alcohol in either the AFZ or an APA, and this applies 24 hours a day, 7 days a week.

Why does Manly have alcohol restricted locations?

In order to reduce anti-social behaviour which may occur due to excessive consumption of alcohol, Council has established and signposted alcohol restricted locations throughout Manly. The AFZ and signposted APAs have been in place for several years.

Why do the alcohol restricted locations have different names?

Both the AFZ and APAs are referred to under different Sections of the Local Government Act 1993, so they must be established, managed and signposted differently: an AFZ can only apply to a built up area such as the CBD, whereas APAs can be designated by signpost for all other areas, such as parks, ovals, beaches and reserves.

What happens if I choose to drink alcohol in these locations? Enforcement of both the AFZ and the APAs is now consistent. If you are found drinking in the AFZ or an APA, your alcohol may be confiscated and tipped out.

Who enforces the restrictions? NSW Police, Council Night Rangers and Authorised Officers of Council.

Is there a fine? If you refuse to hand over your alcohol you may be charged with obstruction, which carries a maximum penalty of \$2,200.



Updated May 2011 in accordance with the Local Government Amendment (Confiscation of Alcohol) Act 2010.

REPORT

ITEM 5.2	RE-ESTABLISHMENT OF MANLY CBD ALCOHOL FREE ZONE
REPORTING MANAGER	Kylie Walshe
TRIM FILE REF	2018/118579
ATTACHMENTS	Map of Existing AFZ

EXECUTIVE SUMMARY

PURPOSE

To commence consultation on proposed Alcohol Free Zones (AFZs) in the Manly CBD area of Northern Beaches Council.

SUMMARY

The object of an AFZ is an early intervention measure to prevent the escalation of irresponsible street drinking to incidents involving serious crime. It assists both Council and Police in managing public safety.

AFZs only apply to public roads, footpaths and car parks and come under S644 of the Local Government Act.

The current AFZ in the Manly CBD is due to expire on 16 July 2018.

In order to validly re-establish an AFZ Council must comply with the procedures in the Act as well as the Ministerial Guidelines on Alcohol Free Zones. An AFZ may only be established for a maximum of four years and it is a requirement to undergo a set process to re-establish the zone again. After complying with the procedures a council may, by resolution, adopt a proposal to establish an AFZ.

Under the Act a resolution of Council is required to commence exhibition of proposed AFZs, prior to a final report to adopt the re-establishment.

RECOMMENDATION

That the Committee support the commencement of the process to re-establish the Alcohol Free Zones (AFZs) in the Manly CBD area of Northern Beaches Council.

REPORT

BACKGROUND

Section S644 of the Local Government Act enables councils to establish AFZs in order to help manage the consumption of alcohol in public places. The intention of an AFZ is to combat anti-social behaviour and to address community concern for specific locations.

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

AFZs can only be established to include a public road, footpath or public place that is a car park, and may remain in force for up to four years. The current AFZs in the Manly CBD area expires on 16 July 2018.

To date the implementation of these controls has been effective in the curbing of anti-social behavior. Following consultation with police it is proposed to commence the re-establishment process of the existing AFZ bounded by North Steyne and South Steyne, Ashburner Street, East and West Esplanade, Eustace Street, Pittwater Road and Steinton Street for a further period of 4 years as identified in the attached Map (see Attachment 1). It is proposed that the boundary for the current AFZ remains unchanged.

Under the Act, the evaluation criteria that councils should use when considering the re-establishment of an alcohol free zone should include the following:

- What were the factors which originally supported a zoning in that area?
- How successful was the previous AFZ in achieving a reduction in unacceptable street drinking?
- What do police statistics indicate about the value of re-establishing an AFZ in that area?
- What other measures may need to be considered (eg. A community education program) if unacceptable street drinking is still of concern in that area?
- Has the community's perceptions of safety improved?

CONSULTATION

According to the legislation to re-establish an AFZ, 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 thirty 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 45 existing signs and installation of new signage to be covered by the Transport & Civil Infrastructure business unit.

SOCIAL IMPACT

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

ENVIRONMENTAL IMPACT

Nil

ATTACHMENT 1 – MAP OF EXISTING AFZ

MANLY ALCOHOL FREE ZONE (AFZ) &
ALCOHOL PROHIBITED AREA (APA)



ITEM 5.3 EAST ESPLANADE , MANLY**REPORTING MANAGER** Kylie Walshe**TRIM FILE REF****ATTACHMENTS**

EXECUTIVE SUMMARY

PURPOSE

To inform the members on the situation at East Esplanade, Manly.

SUMMARY

At the Northern Beaches Council Meeting on 27 March 2018 it was resolved that;

11.1 NOTICE OF MOTION NO 14/2018 - EAST ESPLANADE

- A.** Council endorse the 'Alcohol Prohibited Area' at East Esplanade to an Alcohol-Prohibited Area from 8.00pm to 8.00am to assist Council and Police to enforce the zoning.
- B.** Council undertake the deployment of night rangers or alternative measures to deal with noise issues and enforcement of Alcohol Prohibited Areas. If user pays police are used in East Esplanade, that should be reported to Council on a quarterly basis including costs and dates.
- C.** Council develop other strategies to clear the area of illegal drinkers.
- D.** Council refer the matter to the Northern Beaches Safety Advisory Committee for ongoing monitoring.
- E.** Council prepare a Community Safety Management Plan for East Esplanade within the next three months.

070/18 RESOLVED

Following this meeting updated signage reflecting the new APA hours was installed by the following weekend.

A Community Safety Audit is scheduled for 8pm Friday 20 April 2018 to further assess the situation, with the findings contributing to an East Esplanade Community Safety Management Plan.

RECOMMENDATION

That the Committee note Notice of Motion 14/2018 and continue to monitor the situation at East Esplanade, Manly.
