

ITEM 5.1	MAYORAL MINUTE NO 14/2012 AUSTRALIA DAY 2013 – ALCOHOL PROHIBITED AREAS ON WARRINGAH OCEAN BEACHES
TRIM FILE REF	2012/422383
ATTACHMENTS	NIL

BACKGROUND

Council has been approached by the Superintendent of the Northern Beaches Local Area Command requesting that Council consider declaring an Alcohol Prohibited Areas (APA) on the sand areas of all ocean beaches within Warringah from 6am Saturday 26 January 2013 to 6am Sunday 27 January 2013.

The Northern Beaches Local Area Command Community Safety Precinct Committee have discussed a number of strategies in relation to the safety of patrons at all beaches on Australia Day 2013. Following this, they have requested that Warringah along with Pittwater and Manly, declare these areas as Alcohol Prohibited Areas which will ensure a consistent approach can be applied across the northern beaches.

Under Section 632A of the Local Government Act 1993, an APA provides police officers the authority to seize and dispose of alcohol being consumed or about to be consumed. Fines cannot be issued for a breach of the APA, however a fine of up to \$2200 can be issued to a person failing to comply with the directions of the officer. An APA cannot be declared on a public road, footpath or car park.

The proposal to declare an Alcohol Prohibited Area does not require public exhibition and consultation before being adopted by Councils. Only the establishment of a Alcohol Free Zone (zone may include public roads, footpaths and car parks) requires public consultation.

Last year Council was asked to consider the establishment of a special Event Alcohol Free Zone (AFZ) at Dee Why Beach on Australia Day. The process for declaring Alcohol Free Zones requires Councils to undertake public consultation which was carried out and Council ultimately approved the establishment of an Alcohol Free Zone on Dee Why Beach on Australia Day 2012. One submission was received objecting to the restriction. The AFZ was declared under delegation by myself in January 2012 during the Christmas recess of Council.

In a separate report to update existing controls on consumption of alcohol in public areas, Alcohol Prohibited Areas were established from 10pm to 8am in all parks and reserves within Warringah with the exception of Walter Gors park Dee Why and Queenscliff Headland. Alcohol Free Zones (AFZ) were also established for designated areas of public roads, which have similar enforcement powers to an APA. Four submissions were received supporting the proposal. This resolution of Council is in effect until 30 June 2016.

The Northern Beaches Local Area Command are requesting that we extend our Alcohol Prohibited Areas to cover the sand areas of all our ocean beaches for Australia Day 2013, in addition to the existing APZ for Dee Why beach.

I understand Council staff have spoken with our neighbouring Councils who have indicated their support for the proposal and are willing to work together to provide a consistent message and to look at measures to reduce the cost of advertising the new rules in our local media.

With signage required for approximately 70 entry points to Warringah's ocean beaches as well as advertising in our local media, it is estimated that the cost to Council will be around \$5,000. I have been advised that this proposal can be carried out within existing operation budgets.

RECOMMENDATION

That

- A. Council declares Alcohol Prohibited Areas on the sand areas of all nine Warringah beaches from 6am on Saturday 26 January 2013 to 6am on Sunday 27 January 2013
- B. Council staff work with neighbouring Councils to ensure consistency in the message to the public and to minimise the cost to Council of advertising the new arrangements
- C. Funds to be made available from existing operational budgets



Michael Regan

MAYOR