

Item 3.

Post 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. Council can resolve to establish an outdoor alcohol restriction for a maximum of 4 years or on a temporary basis for special events.

At its meeting on 28 April 2026, Council approved the 30-day public exhibition of the proposed alcohol prohibited areas (24 hours a day, 7 days a week) in Bourke Street Park, Tom Uren Place and Walla Mulla Park in Woolloomooloo for up to 4-years. Noting the existing alcohol prohibited areas at these locations currently apply from 10pm to 10am, 7 days a week.

A total of 57 submissions were received during the public exhibition period which took place Thursday 21 May 2026 to Friday 3 July 2026. Based on the feedback received this report recommends the establishment of alcohol prohibited areas that apply 24 hours a day, 7 days a week in Bourke Street Park, Tom Uren Place and Walla Mulla Park in Woolloomooloo up to 21 August 2028, which is the current expiration date of all existing outdoor alcohol restrictions within the City of Sydney Local Government Area.

At its meeting on 29 June 2026, Council approved the 30-day public exhibition of proposed alcohol prohibited areas (24-hours a day, 7 days a week) in Taylor Square North, Darlinghurst, McKee Street Reserve and Mary Ann Street Park, Ultimo for up to 4-years. Noting the existing alcohol prohibited area at Taylor Square North currently applies from 10pm to 10am, 7 days a week. There are currently no outdoor alcohol restrictions in McKee Street Reserve or Mary Ann Park, Ultimo.

A total of 12 submissions were received for each of these 3 locations during the public exhibition period which took place between Monday 20 July and Wednesday 19 August 2026. Based on the feedback received this report does not recommend that Council make any changes to the existing alcohol prohibited areas in Taylor Square North, Darlinghurst or establish alcohol prohibited areas in Mary Ann Street Park or McKee Street Reserve.

All submissions were assessed through internal review with reference to the criteria approved by Council on 29 June 2026 and which is included at paragraph 5 below.

The public exhibition processes were undertaken in accordance with Section 644A of the Local Government Act 1993.

The City will continue to monitor the impacts of alcohol consumption in the public domain and work closely with NSW Health and local community organisations to support harm minimisation approaches across our local government area. In addition, the City intends to commence a review of all existing outdoor alcohol restrictions prior to the current expiration date of 21 August 2028 in accordance with the new criteria approved by Council in June 2026 that will inform those areas to be placed on public exhibition.

Recommendation

It is resolved that:

- (A) Council note the submissions received from community on the proposed alcohol prohibited areas as summarised in Attachments C and D to the subject report
- (B) Council approve the establishment of alcohol-prohibited areas that apply 24 hours a day, 7 days a week in Bourke Street Park, Tom Uren Place and Walla Mulla Reserve, Woolloomooloo up to 21 August 2028
- (C) Council does not make any changes to the existing alcohol-prohibited area in and Taylor Square North, Darlinghurst which applies from 10am to 10pm, 7 days a week, prior to the current expiration date of 21 August 2028
- (D) Council does not establish alcohol-prohibited areas in Mary Ann Street Park or McKee Street Reserve, Ultimo
- (E) authority be delegated to the Chief Executive officer to correct minor errors to the matters set out in this report not impacting the locations of proposed alcohol restrictions.

Attachments

Attachment A.	Resolution of Council - Item 8.3 - Public Exhibition Outdoor Alcohol Restrictions - 28 April 2026
Attachment B.	Resolution of Council - Item 10.3 - Public Exhibition Outdoor Alcohol Restrictions - 29 June 2026
Attachment C.	Engagement report - Woolloomooloo - Proposed outdoor alcohol restrictions
Attachment D.	Engagement report - Darlinghurst and Ultimo - Proposed outdoor alcohol restrictions
Attachment E.	Maps - Post exhibition - Outdoor alcohol restrictions

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. At the Council meeting on 29 June 2026, it was 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 both 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; and*
 - (iii) *Council reserves the right to put an area on exhibition outside of the criteria if there is strong community support or other significant circumstances arise;*
 - (B) *Council recognises that alcohol-free zones and alcohol-prohibited areas should be applied in a way that avoids unfair impacts, including discrimination, over-policing, or increased criminalisation of particular groups, such as Aboriginal and Torres Strait Islander people and public housing tenants.*

Locations in Woolloomooloo

6. On 28 April 2026, Council approved the 30-day public exhibition of the proposed alcohol prohibited areas (24 hours a day / 7 days a week) in Bourke Street Park, Tom Uren Place and Walla Mulla Park, Woolloomooloo for up to 4-years.
7. Currently the alcohol prohibited areas in these 3 locations operate from 10pm to 10am, 7 days a week only.
8. It should be noted that when Council approved the public exhibition of these 3 locations in Woolloomooloo, they only met criteria (ii) above. These areas did not meet criteria (i) as the BOCSAR crime data indicated a decreasing number of alcohol-related (24 hour) assaults for the previous 3-year period in Woolloomooloo.
9. Subsequently, on 29 June 2026, Council resolved to add criteria (iii) above, which was also met by these 3 locations.
10. A total of 57 submissions were received during the public exhibition period. A summary of the issues raised in the submissions is provided in the Engagement report at Attachment C.
11. Approximately 90% of the 57 submissions received supported the proposal. Those in support of the proposal noted that alcohol-related disturbances and anti-social behaviour occurs across all hours of the day and evening and raised concerns about perceptions of reduced personal safety and a decline in public amenity in the area. It should be noted that residents have consistently raised similar concerns at Police Community Safety Committee meetings and the Lord Mayor's Woolloomooloo Community Forums.
12. NSW Police supported the proposal and noted that the current timed alcohol restrictions may limit opportunities for proactive intervention and allow alcohol-related issues to escalate before enforcement action can be taken. They also indicated the planned re-opening of Woolloomooloo Police Station is expected to strengthen the local policing presence.
13. However, submissions received from local service providers including Aboriginal Legal Service, Inner City Legal Service and St Vincent de Paul Society expressed strong opposition to the proposal indicating it could unfairly impact marginalised groups through discrimination, over-policing, or increased criminalisation. These organisations submitted that the proposal does not address the underlying causes of homelessness, mental ill-health or alcohol and drug dependency and any change to outdoor alcohol restrictions needs to align with harm minimisation principles.
14. Based on the feedback received and the support for this proposal, this report recommends that Council approve the establishment of alcohol prohibited areas that apply 24 hours a day, 7 days week in Bourke Street Park, Tom Uren Place and Walla Mulla Park in Woolloomooloo up to 21 August 2028, which is the current expiration date of all existing outdoor alcohol restrictions within the City of Sydney Local Government Area.

15. However, as outlined by local service providers it should be noted these restrictions may have unfair impacts including discrimination, over-policing, or increased criminalisation of particular groups, such as Aboriginal and Torres Strait Islander people, public housing tenants and people experiencing homelessness. Any confirmed impacts of this nature will be included in consideration of any proposed renewal of the restrictions in 2028.

Locations in Darlinghurst and Ultimo

16. On 29 June 2026, Council approved the 30-day public exhibition of the proposed alcohol prohibited areas (24 hours a day / 7 days a week) in Taylor Square North, Darlinghurst, Mary Ann Street Park and McKee Street Reserve, Ultimo for up to 4-years. The locations met criteria (i) and (ii) above. Noting the existing alcohol prohibited area in Taylor Square North currently applies from 10pm to 10am, 7 days a week.
17. A total of 12 submissions were received for each of these 3 locations during the public exhibition period. A summary of the issues raised in the submissions is provided in the Engagement report at Attachment D.

Taylor Square North, Darlinghurst

18. Feedback on the proposal for Taylor Square North in Darlinghurst was divided. Those in support of the proposal, including Police, outlined concerns for community safety and noted anti-social behaviour linked to public space consumption of alcohol regularly occurring during daylight hours. Whilst those against the proposal indicated the Police have other powers to deal with people who are publicly intoxicated and/or disorderly.
19. Based on the low number of submissions and feedback received, there is not sufficient evidence to indicate that changing the existing outdoor alcohol restrictions would reduce alcohol-related assaults and/or homophobic and transphobic crimes committed by intoxicated people within the public domain.
20. Therefore, this report recommends that Council does not make any changes to the existing alcohol prohibited area, that currently applies from 10pm to 10am, 7 days a week, at Taylor Square North.
21. It is noted that improving safety in and around the Oxford Street precinct, including Taylor Square North, is better addressed by collaborating with Police, local businesses and community to activate and strengthen the precinct as a vibrant, inclusive and culturally significant place where LGBTIQ+ people feel welcome and safe.

Mary Ann Street Park and McKee Street Reserve, Ultimo

22. Feedback on the proposal for Mary Ann Street Park and McKee Street Reserve reflected a range of views. Those in support of the proposals, including Police, outlined concerns about community safety and noted the benefits of reducing noise, discouraging disruptive gatherings and preserving residential amenity. Some respondents noted that McKee Street Reserve is adjacent to a pre-school and there is a playground and community garden located in the park.

23. Those that opposed the proposal noted these public spaces were appropriate for picnics with moderate alcohol consumption. Some respondents noted they had never witnessed alcohol consumption or inappropriate behaviour in these parks.
24. Through the feedback there was not a clear indication that alcohol consumption was resulting in anti-social behaviour and/or alcohol-related assaults in these public spaces and therefore there is not sufficient justification for establishing outdoor alcohol restrictions in these areas.
25. Based on the low number of submissions and feedback received, there is not sufficient justification for imposing outdoor alcohol restrictions in these areas and this report recommends that Council does not establish alcohol prohibited areas in Mary Ann Street Park or McKee Street Reserve.

Key implications

Strategic alignment - Sustainable Sydney 2030-2050 Continuing the Vision

26. 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 - Objective 7.5 People feel safe in the City

Risks

27. 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.
28. 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 gave community, local business, local community organisations and NSW Police an opportunity to provide feedback on the list of proposed outdoor alcohol restrictions. This feedback received informed the proposed approach to maintaining public safety and amenity.

Social / Cultural / Community

29. 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.

30. 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
31. 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

32. 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.
33. 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

34. Sufficient funds are available for any signage updates required for new or changed outdoor alcohol restrictions in the operational budget for the 2026/27 financial year.
35. Funding for updates, installation or removal of signage is included in the City Infrastructure and Traffic Operations capital works budget.

Relevant legislation

36. Local Government Act 1993.
37. Liquor Act 2007.
38. Roads Act 1993.

Critical dates / Time frames

39. Outdoor alcohol restrictions are established by a resolution of Council for a period of up to 4 years. All outdoor alcohol restrictions currently will expire on 20 August 2028.

Options

40. Establish all of the proposed outdoor alcohol restrictions - this is not recommended given that on 29 June 2026, Council resolved that alcohol-free zones and alcohol-prohibited areas should be applied in a way that considers the criteria as per this report, as well as avoiding unfair impacts, including discrimination, over-policing, or increased criminalisation of particular groups, such as Aboriginal and Torres Strait Islander people and public housing tenants.
41. Establish none of the proposed outdoor alcohol restrictions - Council may decide to defer any further decision to impose or increase outdoor alcohol restrictions until a review of all existing restrictions is undertaken prior to the current expiration date of 21 August 2028 in accordance with the new criteria approved by Council in June 2026. However, this is not recommended given local residents and NSW Police have raised serious and ongoing concerns the inadequacy of current outdoor alcohol restrictions at the 3 locations in Woolloomooloo given that alcohol-related disturbances and anti-social behaviour within the public domain are occurring across all hours of the day and evening.

Public consultation

42. As part of the public exhibition period the following stakeholder and community engagement activities were undertaken.
 - (a) A survey was conducted on Sydney Your Say for the proposed outdoor alcohol restrictions in Bourke Street Park, Tom Uren Place and Walla Mulla Reserve, Woolloomooloo from 21 May 2026 to Friday 3 July 2026 and was advertised in the Sydney Your Say emailed newsletter and on the City of Sydney website.
 - (b) A survey was conducted on Sydney Your Say for the proposed outdoor alcohol restrictions in Taylor Square North, Darlinghurst, McKee Street Reserve, Ultimo and Mary Ann Street Park, Ultimo from 20 July and 19 August 2026 and was advertised in the Sydney Your Say emailed newsletter and on the City of Sydney website.
 - (c) Written notification about the public exhibition period was 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, local business chambers and liquor premises.
 - (d) Written notification was sent to all residents in Woolloomooloo inviting feedback on the proposal for the alcohol prohibited areas in Bourke Street Park, Tom Uren Place and Walla Mulla Reserve to apply 24 hours a day, 7 days a week.

- (e) Signs were posted in McKee Street Reserve and Mary Ann Street Park, Ultimo notifying the local community about the consultation process.
- (f) Only those local councils identified in Appendix 2 of the Ministerial Guidelines on Alcohol Free Zones, August 2025 are required to send a copy of their proposed alcohol-free zones to the NSW Anti-Discrimination Board. No Councils are currently listed in Appendix 2. However, the City notified the NSW Anti-Discrimination Board about the proposed alcohol prohibited areas during the public consultation process.

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