

Item 3.

Post Exhibition - Outdoor Alcohol Restrictions - Jones Bay Road, Pyrmont

File No: X111829

Summary

In accordance with its legislative obligations under the Local Government Act 1993, the City considers 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 four years or on a temporary basis for special events.

At its meeting on 19 August 2024, Council resolved that the Chief Executive Officer be requested to initiate the process of community consultation for an alcohol-free zone on Jones Bay Road, Pyrmont, in response to community requests.

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

A total of 46 submissions were received. The majority of submissions received indicated support for the proposal to establish an alcohol-free zone on Jones Bay Road, Pyrmont, with 37 submissions in support and 8 submissions opposing the proposal. In addition, Anti-Discrimination NSW indicated they had no objection to the proposal.

In recognition of community support, this report recommends Council approve the establishment of an alcohol-free zone on Jones Bay Road Pyrmont until 21 August 2028 to align with the expiration date for all other outdoor alcohol restrictions across the local government area.

If approved by Council, and as per Section 644B of the Local Government Act 1993, a notice will be placed on the City's website declaring the establishment of outdoor alcohol restrictions on Jones Bay Road, Pyrmont.

Recommendation

It is resolved that:

- (A) Council note the submissions received from the community as summarised in Attachment A to the subject report;
- (B) Council approve the establishment of an alcohol-free zone on Jones Bay Road, Pyrmont until 21 August 2028;
- (C) Council note that the Chief Executive Officer will continue to undertake advocacy to the NSW Government in relation to necessary reforms in this area and work with relevant entities to develop appropriate strategies for managing alcohol consumption in the public domain, in accordance with the resolution of Council of 24 June 2024; and
- (D) authority be delegated to the Chief Executive Officer to correct minor errors to the matters set out in this report, noting that the locations of the alcohol-free zones and alcohol prohibited areas will not change, and a CEO Update will be provided to Council advising of any changes made in accordance with this resolution.

Attachments

- Attachment A.** Resolution of Council - Item 7.3 - Post Exhibition - Outdoor Alcohol Restrictions - 19 August 2024
- Attachment B.** Engagement Report
- Attachment C.** Map - Recommended alcohol-free zone - Jones Bay Road, Pyrmont

Background

1. In accordance with its legislative requirements under the Local Government Act 1993, the City considers 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 be timed sites where alcohol consumption is permissible within designated times, usually between 10am and 10pm.
3. NSW Police are responsible for enforcing outdoor alcohol restrictions. Restrictions provide NSW Police with the authority to tip out or confiscate alcohol within designated public areas. There are no fines associated with the offence in NSW.
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 its meeting on 19 August 2024, Council resolved that the CEO be requested to initiate the process of community consultation for an alcohol-free zone on Jones Bay Road, Pyrmont, in response to community requests. See Attachment A.
6. In accordance with Section 644A of the Local Government Act 1993 the public exhibition process was undertaken from 13 November 2024 to 20 December 2024.
7. As per the legislative requirements, a copy of the proposed alcohol-free zone was provided to Anti-Discrimination NSW, who advised in writing that they had no objection subject to the City following the 2009 Ministerial Guidelines on Alcohol-free Zones.
8. Through the public exhibition period the following community engagement was undertaken:
 - (a) Sydney Your Say survey
 - (b) letters to businesses and residents on Jones Bay Road
 - (c) email notifications regarding the public exhibition process were sent to key stakeholders, including liquor licensed premises, , NSW Police, Anti-Discrimination NSW and other government agencies.
9. A total of 46 submissions were received. All were assessed through internal review. A summary of the issues raised in the submissions, together with responses and staff recommendations, is included in the Engagement Report at Attachment B.
10. The majority of submissions received indicated support for the proposal to establish an alcohol-free zone with 37 submissions in support and 8 submissions opposing the proposal.
11. Based on the outcomes of the public exhibition period this report recommends the establishment of an alcohol-free zone on Jones Bay Road, Pyrmont, as identified in Attachment B to the report.

12. If approved by Council, and as per Section 644B of the Local Government Act 1993, a notice will be placed on the City's website declaring the establishment of the outdoor alcohol restriction. City staff will also notify key stakeholders and community through our various channels.
13. In accordance with Section 644C of the Local Government Act 1993, the outdoor alcohol restriction on Jones Bay Road, Pyrmont will not come into effect until seven days after such notice and until roads and footpaths affected are adequately signposted.

Key Implications

Strategic Alignment - Sustainable Sydney 2030-2050 Continuing the Vision

14. 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 program is aligned with the following strategic directions and objectives:
 - (a) Direction 7 - Resilient and diverse communities - People feel safe in the City.
 - (b) Direction 10 - Housing for all - Objective 10.2 Work in partnership to enhance the safety, liveability and amenity of social housing communities and properties.

Risks

15. Risk will be managed by working with NSW Police and reviewing Bureau of Crime Statistics and Research data to determine the efficacy and ongoing need for the restrictions over the next 12 months.
16. This approach is within the City's risk appetite, which states:
 - We are committed to the health, safety and wellbeing of our workers, residents, visitors and others who interact with our assets, operations and services.

Social / Cultural / Community

17. 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.

Economic

18. Outdoor alcohol restrictions aim to reduce anti-social 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.
19. The City 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 alcohol restrictions

Financial Implications

20. Sufficient funds for signage updates and removals are provided for in the City Life division's operational budget for the 2024/25 financial year.
21. Funding for updates, installation or removal of signage is included in the City Infrastructure and Traffic Operations capital works budget.

Relevant Legislation

22. Local Government Act 1993.
23. Liquor Act 2007.
24. Roads Act 1993.

Critical Dates / Time Frames

25. All outdoor alcohol restrictions currently expire on 21 August 2028.

Options

26. Not establish the location as recommended: due to the strong community support for the establishment of an alcohol-free zone on Jones Bay Road, Pyrmont this is not recommended.

Public Consultation

27. As part of the most recent public exhibition period the following stakeholder and community engagement activities were undertaken:
 - (a) A survey was conducted on Sydney Your Say from 13 November to 20 December 2024 and was advertised in the 'Sydney Your Say' emailed newsletter.
 - (b) Email notifications regarding the public exhibition process were sent to local community groups, residents and businesses, including Liquor Licensed Premises located in Jones Bay Road and the surrounding area, NSW Police, Ant-Discrimination NSW and other government agencies.

EMMA RIGNEY

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