

# Alcohol Free Zones and Alcohol Prohibited Areas 2021-2025

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## Introduction

Section 644 of the Local Government Act 1993 enables Councils to develop a proposal to establish alcohol-free zones in accordance with the Ministerial Guidelines. The proposed alcohol free zone must be either of the following:

- A public road or part of a public road;
- A public place that is a car park or part of a car park

The principal object of an alcohol free zone is to prevent disorderly behaviour caused by the consumption of alcohol in public areas in order to improve public safety.

A proposal to establish an alcohol free zone must in all cases be supported by evidence that the public's use of those roads, footpaths or public carparks has been compromised by street drinkers. Council should also undertake community engagement and consider all representations and submissions on any alcohol free zone proposals.

Generally, an Alcohol Free Zone should be as small as possible. Alcohol Free Zones should primarily be located adjacent to outlets supplying alcohol where drinkers congregate. In the absence of such an outlet a zoning should be considered only in exceptional circumstances.

An Alcohol Free Zone may be established for a maximum period of four years. Once established, it applies 24 hours per day.

Alcohol Free Zones are enforced by the police or by council enforcement officers where the Commissioner of Police gives written authorisation. Any person observed to be drinking in an alcohol free zone may have the alcohol in their possession immediately seized and tipped out or otherwise disposed of.

Further to this, section 632A(4) of the Act enables councils to declare any public place or part of a place to be an Alcohol Prohibited Area, with the exception of public roads, footpaths and car parks which are to be dealt with under the Alcohol Free Zone provisions outlined above.

Public open spaces must be adjacent to an existing Alcohol Free Zone or Alcohol Prohibited Area and may be declared alcohol prohibited at all times, or only for specific days, times or events.

While there are no provisions under the Act to extend the timeframes on existing zones, they can be included in another alcohol free zone of the same or different configuration immediately following the cessation of the existing zone or at any future time. The evaluation criteria for 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 alcohol free zone in achieving a reduction in unacceptable street drinking?
- What do police statistics indicate about the value of re-establishing an alcohol free zone in that area?
- What other measures may need to be considered (e.g. a community education program) if unacceptable street drinking is still of concern in that area?
- Has the community's perceptions of safety improved?

## Background

On 21<sup>st</sup> November 2017 following extensive stakeholder engagement, Council resolved (motion 199/17FC) to implement Alcohol Free Zones in a number of public roads in Howlong, Corowa and Mulwala as well as an Alcohol Prohibited Zone in Rowers Park every Australia for a period of 24 hours from 6.00am. These zones were implemented from December 2017 for a period of four (4) years and are due to expire December 2021.

The following public roads were determined to be Alcohol Free Zones:

**Howlong** – Public roads and footpaths including Hawkins Street (Hammer Street to Townsend Street), Sturt and Hovell Streets (Pell Street to Russell Street) and the laneway and car parks north of Hawkins Street between Sturt Street and Hovell Street.

**Corowa** – Public roads and footpaths including Bridge Road (Sanger Street roundabout to John Foord Bridge including car park), Sanger Street, Federation Gardens, River Street (Sanger to Riesling Street), Church Street, (Sanger to Lindsay Street), Parliament Street (Sanger to Queen Street), all of Queen Street, Mary Street (Sanger Street to Federation Avenue), Ellerslie Gardens, Edward Street, Federation Avenue, (Edward Street to Hume Street), Bow Street (Sanger Street to John Street), John Street (Bow Street to May Street), Honour Avenue (Sanger Street to May Street), Steel Street (Honour Avenue to John Street), Short Street, Riesling Street and Betterment Parade (Arnott Street to Whitehead Street).

**Mulwala** – The public road and footpaths of Melbourne Street/Corowa Road Mulwala from Tocumwal Road to thenorth east and to the Victorian border bridge to the south and Inglis Street Mulwala between Melbourne Street and Sturt Street.

Prior to this, the former Corowa Shire resolved (motion 102/14) that Council implement Alcohol Free Zones for a period of four (4) years from 15<sup>th</sup> April 2014 in those public roads listed above, with the exception of Bridge Road (Sanger Street roundabout to John Foord Bridge including car park) which was included in Federation Council resolution (motion 199/17FC) on 21<sup>st</sup> November 2017.

The former Urana Shire had no Alcohol Free Zones implemented and no new zones were added in the review of all zones and Federation Council's resolution (motion 199/17FC) on 21<sup>st</sup> November 2017.

## Proposal Summary

This proposal re-establishes the existing zones for further four years until 1<sup>st</sup> December 2025 following input from stakeholders and community engagement. Zones are detailed further below in this document.

No new zones have been included and no existing zones have been removed from this proposal. It is further proposed that a more detailed review and engagement process is undertaken by council in 2023.

## Factors that Previously Supported the Zoning

In 2017 Council undertook extensive stakeholder engagement for the review of Alcohol Free Zones as well as the establishment of a new Alcohol Prohibited Zone in Rowers Park, Corowa.

The following feedback was received at the time:

- NSW Police Local Area Commander, Murrumbidgee Local Health Services, Committees and local clubs has indicated that the Alcohol Free Zones have been a successful measure towards the prevention of anti-social behaviour caused by public drinkers and the re-establishment of these zones has been

supported.

- Alcohol related littering (cans and bottles in Inglis Street) was quoted as an incentive to maintain existing Alcohol Free Zones in Mulwala. Further comments received include “current alcohol free zones for Mulwala are appropriate and have worked well. Don’t see a need to change the current set up”.
- Murrumbidgee Local Health District advised that in this region 727 people per 100,000 are admitted for alcohol attributable hospitalisations, which is above the state norm. Further to this, around 30% of people over the age of 16 consume alcohol at levels posing immediate and long term risk to health.
- The NSW Police Local Area Command fully support the renewal of the Alcohol Free Zone in Howlong, Mulwala and Corowa citing incidents of littering, street drinking, anti-social, unruly and disorderly behaviour affecting the safety of families and children in these areas.
- There was also strong support for the proposed Alcohol Prohibited Area in Rowers Park and the establishment of an additional Alcohol Free Zone along Bridge Road (Sanger Street roundabout to John Foord bridge including car park) by NSW Police citing a number of recorded incidents at Rowers Park on Australia Day 2017 requiring urgent police assistance including;
  - 20-30 intoxicated males involved in a brawl at Rowers Park at 6pm on 26 January
  - 2 males involved in an affray/assault at 8pm on 26 January
  - Up to 100 patrons from Rowers Park involved in an affray, public disorder incident at McDonalds at 9pm on 26 January.
- The implementation of the adjoining Alcohol Prohibition Area has also been supported for implementation with Police recommending this be imposed from 9am on 26 January until 12.00 am on 27 January.
- The case for implementing the Alcohol Free Zone and Alcohol Prohibited Area is strongly reinforced by the significant improvement in the behaviour of patrons and reduction of alcohol related crime and harm in Albury following the introduction of Alcohol Free Zone and Alcohol Prohibited Area in Albury and Noreiul Park several years ago.
- Support has also been received for the banning of alcohol in Rowers Park on Australia Day from the local Football and Netball club due to rubbish being left in and around John Foord Oval.

## NSW Crime Statistics

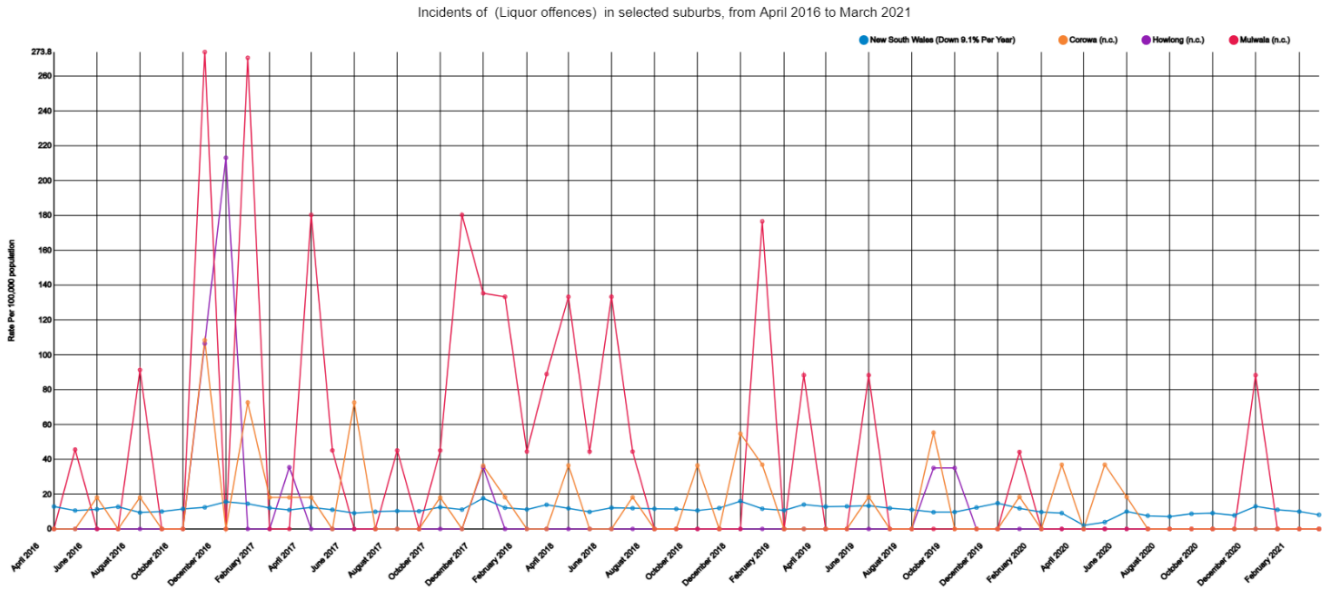
Statistical data obtained by the NSW Bureau of Crime Statistics and Research has highlighted the following local trends over the last 5 years:

- The rate of liquor related offences for Corowa, Howlong and Mulwala appears to be on a downward trend from its peak 2016. Council believes this may be a result of the implementation of the Alcohol Free Zones and Alcohol Prohibited Zone in Rowers Park, Corowa by Council and the proactive work undertaken by local police in enforcing liquor related offences;
- While there is a downward trend, the rate of alcohol related offences are generally 4 times higher than the NSW average in Mulwala and 1.25 times higher in Corowa than the NSW average (based on 2019 statistics);
- Each year there is an increase in liquor related offences across Corowa, Howlong and Mulwala in the warmer summer months; and

- The rate of liquor offences in the last 18 months has been significantly reduced (most likely due to the impacts of the COVID-19 pandemic).

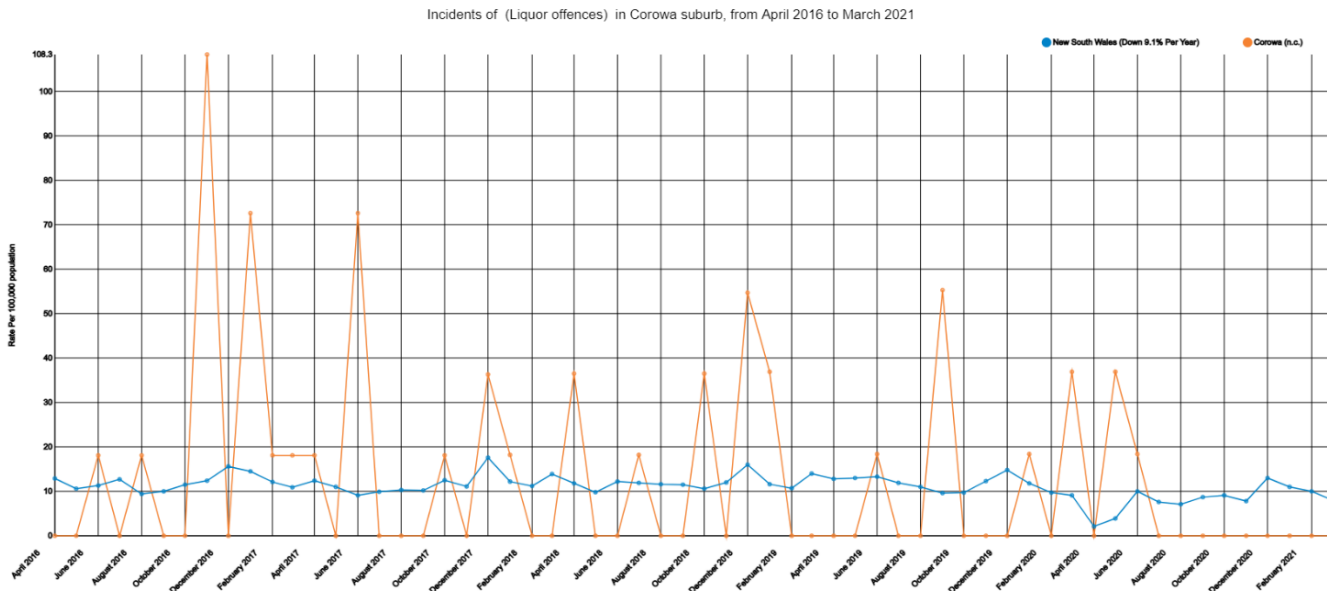
Refer to the below figures of liquor related offences from NSW Bureau of Crime Statistics and Research.

**Figure 1: Incidents of Liquor related offences in Corowa, Howlong and Mulwala April 2016 – March 2021 - Combined**



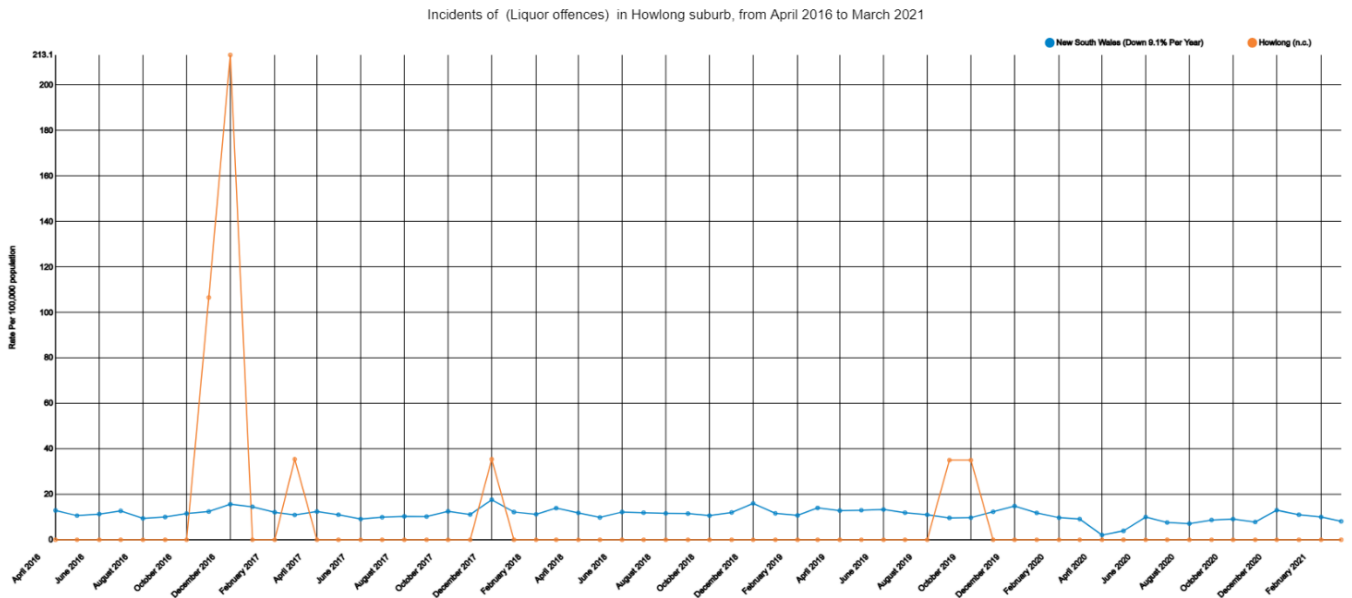
Source: NSW Bureau of Crime Statistics and Research

**Figure 2: Incidents of Liquor related offences in Corowa April 2016 – March 2021**



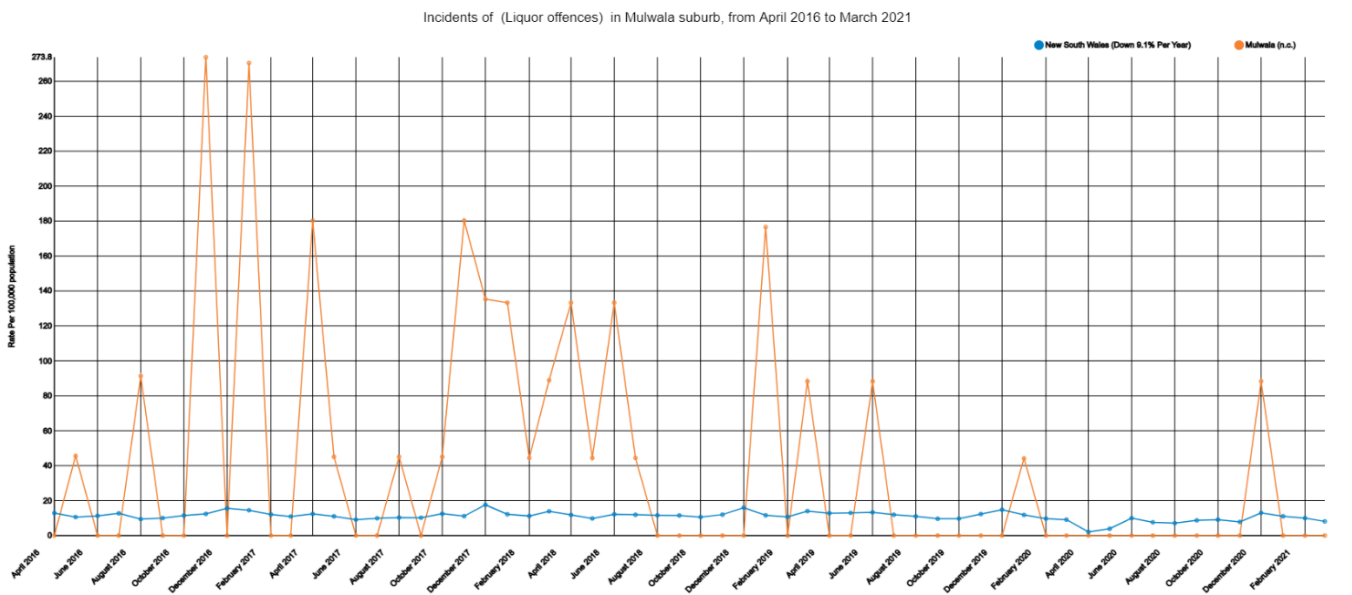
Source: NSW Bureau of Crime Statistics and Research

**Figure 3: Incidents of Liquor related offences in Howlong April 2016 – March 2021**



Source: NSW Bureau of Crime Statistics and Research

**Figure 4: Incidents of Liquor related offences in Mulwala April 2016 – March 2021**



Source: NSW Bureau of Crime Statistics and Research



## Feedback on this Proposal

Council sought community feedback on this proposal from 1 October 2021 until 1 November 2021.

Feedback and comment in relation to whether the proposal was or was not supported, with particular respect to the following questions:

- *Do you support the re-establishment of the existing Alcohol Free Zones and the Alcohol Prohibited Area restrictions for a further four (4) years?*
- *Do you believe that these Alcohol Free Zones and the Alcohol Prohibited Zone restrictions have been successful in achieving a reduction in unacceptable street drinking and antisocial behaviour over the past four (4) years?*
- *Do you have any evidence to support antisocial behaviour or that the public safety in these areas or other areas has been compromised due to unacceptable street drinking (crime, graffiti, property damage, excessive littering etc.)?*
- *Do you feel that there are other measures that could be considered if unacceptable street drinking exists?*

During the public exhibition period, stakeholders such as local businesses and government organisations were sent a copy of the Proposal to re-establish the existing Alcohol Free Zones and the Alcohol Prohibited Zone and invited to make comments. Only one submission was received from the Superintendent from NSW Ambulance, Murrumbidgee who were supportive of the Proposal and believes these zones have had a positive impact on their case loads.

The Proposal was placed on public exhibition from 1st October until 1 November, including advertised on council's website, Facebook page and council snippets. No submissions were received.

## Alcohol Free Zones

Under sections 644 and 644C of the NSW Local Government Act 1993, Federation Council re-establishes the following areas as Alcohol Free Zones for a period of four (4) years until 1<sup>st</sup> December 2025.

**Mulwala** – The public roads and footpaths of Melbourne Street from the Victorian Border of the Mulwala Bridge to the intersection of Corowa Road and Tocumwal Road. Also, Inglis Street Mulwala (between Melbourne Street and Sturt Street).

**Corowa** – Public roads and footpaths including Sanger Street, Federation Gardens, River Street (Sanger to Riesling Street), Church Street, (Sanger to Lindsay Street), Parliament Street (Sanger to Queen Street), all of Queen Street, Mary Street (Sanger Street to Federation Avenue), Ellerslie Gardens, Edward Street, Federation Avenue, (Edward Street to Hume Street), Bow Street (Sanger Street to John Street), John Street (Bow Street to May Street), Honour Avenue (Sanger Street to May Street), Steel Street (Honour Avenue to John Street), Short Street, Riesling Street and Betterment Parade (Arnott Street to Whitehead Street), Bridge Road (Sanger Street roundabout to John Foord bridge including car park).


**Howlong** – Public roads and footpaths including Hawkins Street (Hammer Street to Townsend Street), Sturt and Hovell Streets (Pell Street to Russell Street) and the laneway and car parks north of Hawkins Street between Sturt Street and Hovell Street.

The following maps show the above alcohol restricted areas.

## Corowa Alcohol Free Zones Maps

### Corowa





 Alcohol Free Zone

### Corowa

# Corowa



-  Alcohol Free Zone
-  Alcohol Prohibited Area

## Howlong Alcohol Free Zone Map



## Mulwala Alcohol Free Zone Map



# Alcohol Prohibited Zones

Under section 632A of the NSW Local Government Act 1993, Federation Council re-establishes the following area as Alcohol Prohibited Areas.

Corowa – Rowers Park open space public recreation area adjoining Bridge Road and Bridge Road Car Park for 24 hours from 6.00am on Australia Day until 6.00am on 27 January.

The following map details the above alcohol restricted area.



## References & Associated Documents

- Local Government Act 1993 access from: <https://legislation.nsw.gov.au/#/>
- Department of Local Government – Ministerial Guidelines on Alcohol Free Zones February 2009 accessed from: <https://www.olg.nsw.gov.au/councils/council-infrastructure/services-to-communities/alcohol-free-zones-alcohol-prohibited-areas/>
- Alcohol Free Zone (AFZ) Proposal 2017 17/23814

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