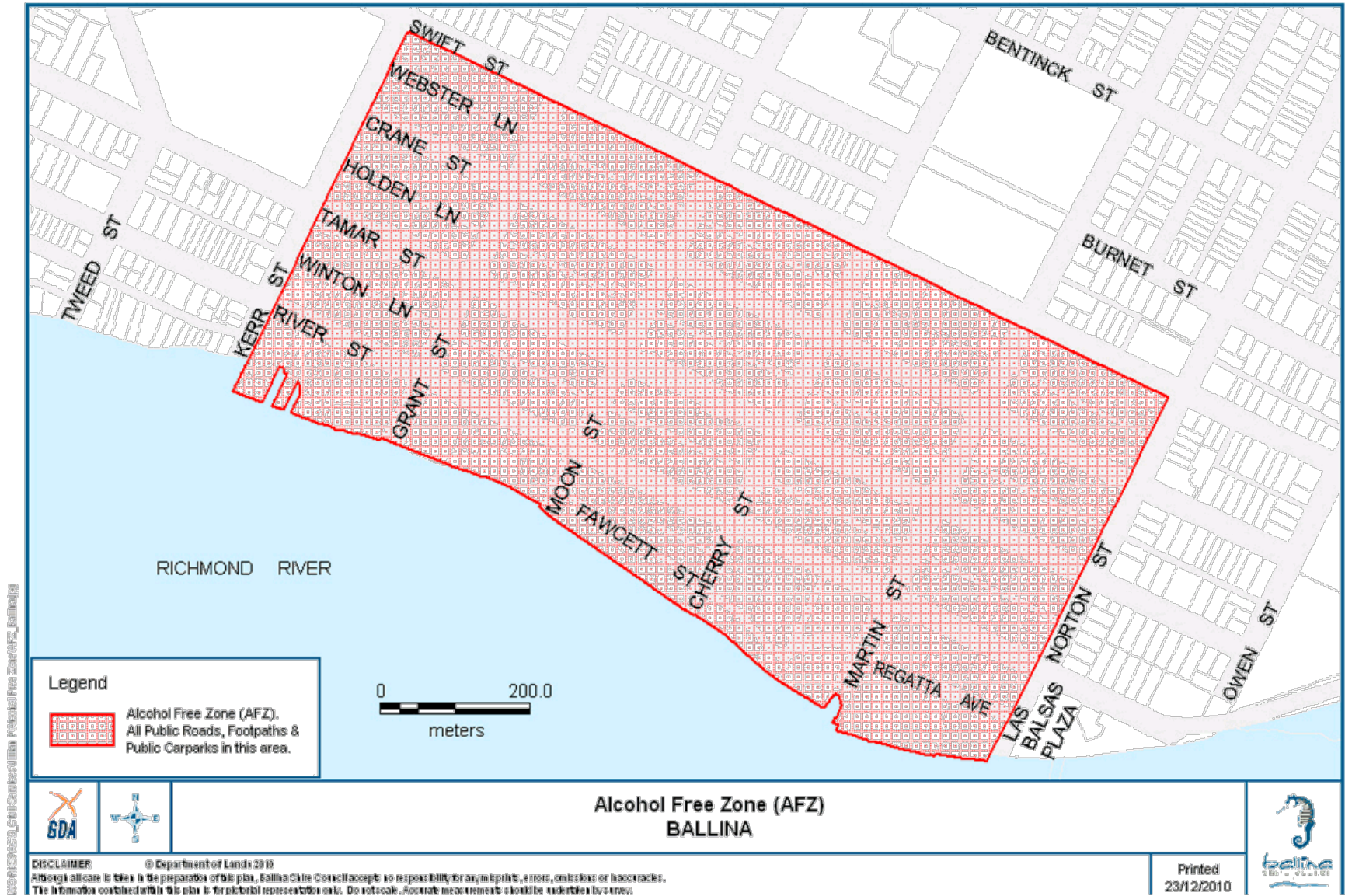
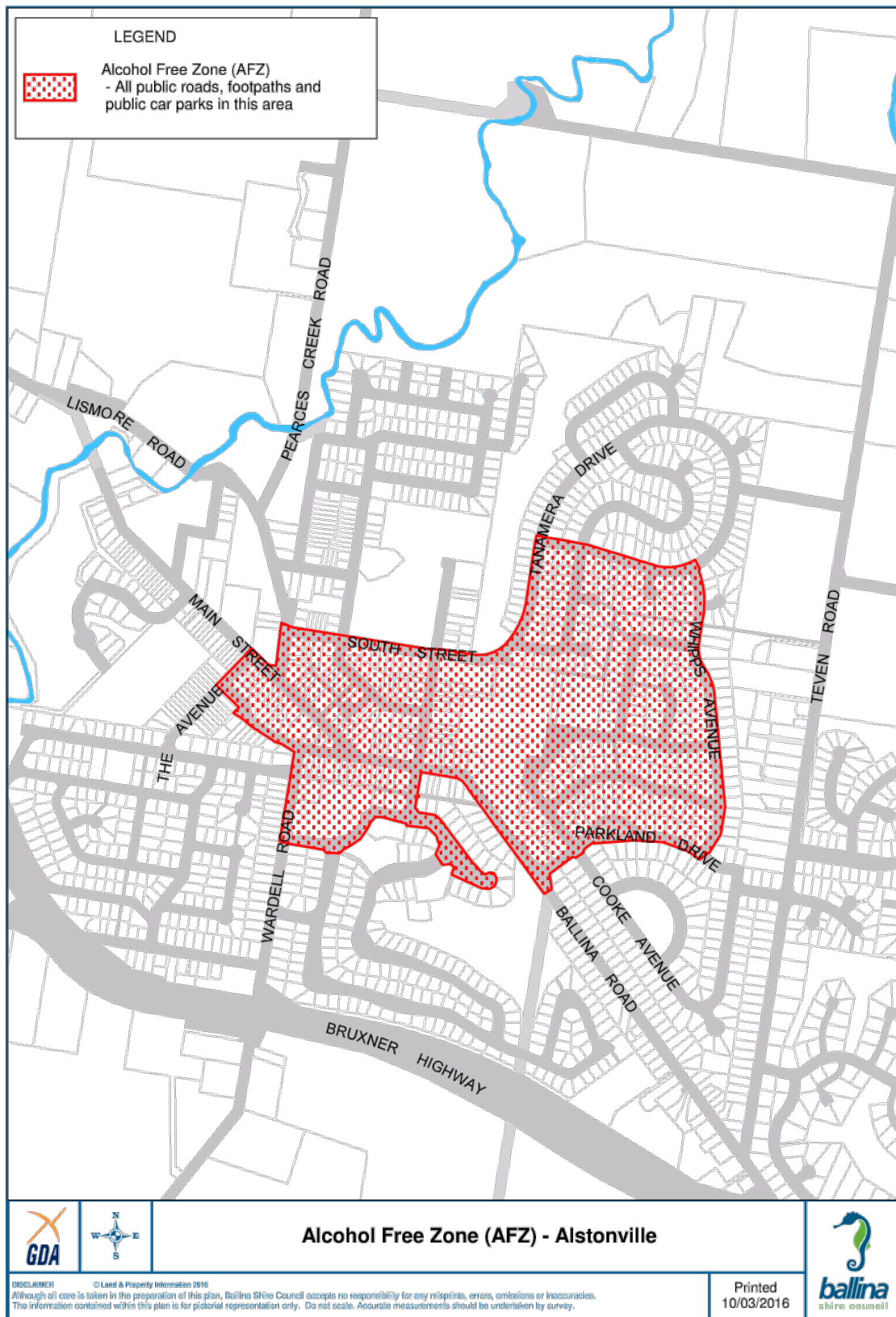


11.2 Alcohol Free Zones - Lennox Head, Alstonville, Ballina and Wardell.DOC

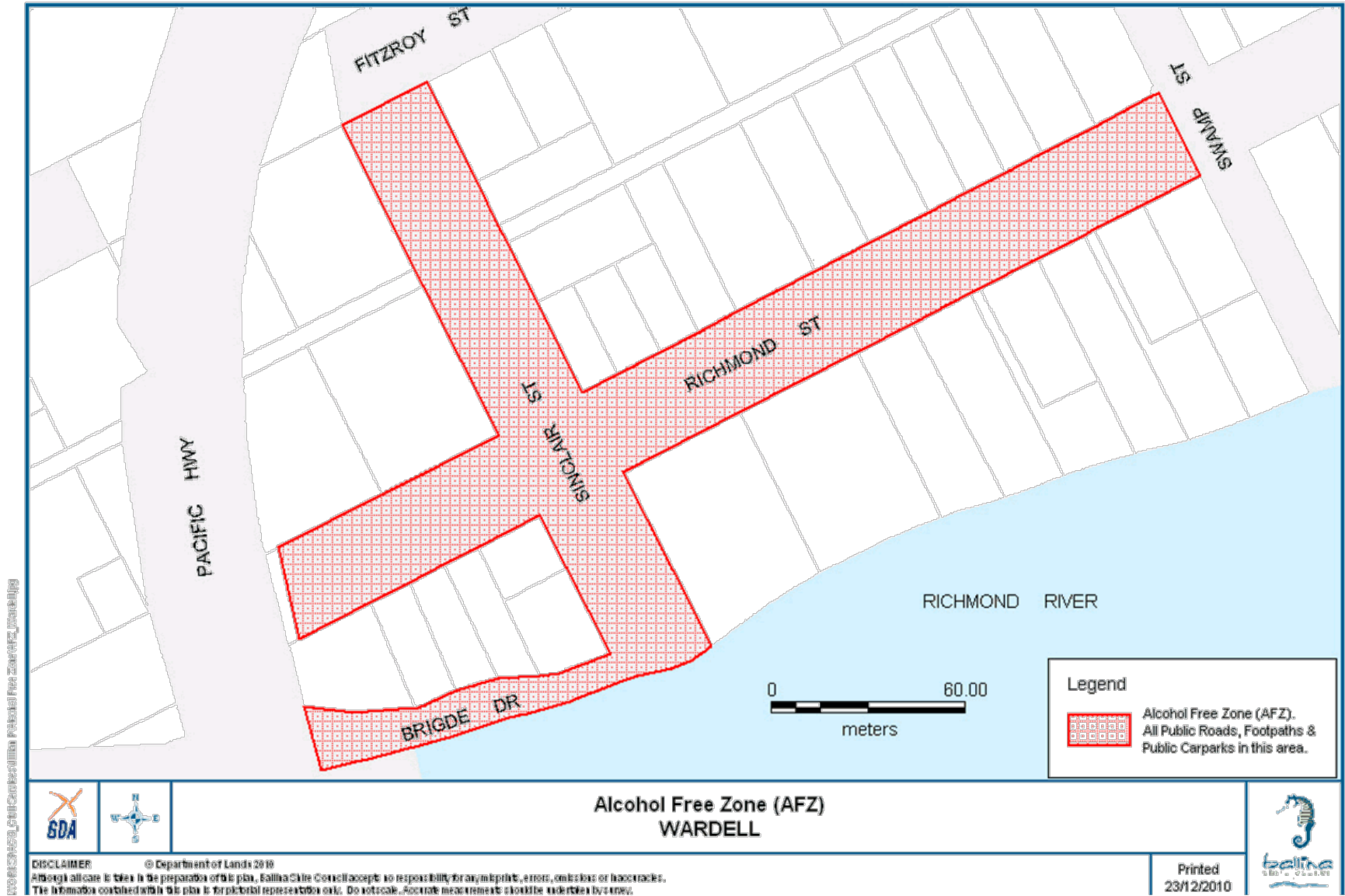




## 11.2 Alcohol Free Zones - Lennox Head, Alstonville, Ballina and Wardell.DOC







## Notification of Alcohol Free Zones: Lennox Head, Alstonville, Ballina and Wardell

Ballina Shire Council resolved on 24 August 2017 to undertake consultation to re-establish the Alcohol Free Zones (AFZ) in Lennox Head, Alstonville, Ballina and Wardell.

Under sections 644 and 646 of the Local Government Act 1993 and in accordance with the Ministerial Guidelines on Alcohol Free Zones, Ballina Council proposes to re-establish Alcohol Free Zones (AFZ) in Lennox Head, Alstonville, Ballina and Wardell.

The current AFZs have been in place in Lennox Head, Alstonville, Ballina and Wardell for the past four years and are due to expire on 31 January 2018. The AFZs have assisted the police in managing antisocial behaviour relating to alcohol consumption in public areas.

When an AFZ has been established, the drinking of alcohol on public roads, footpaths and public car parks in the designated areas in Lennox Head, Alstonville, Ballina and Wardell is prohibited.

AFZs are enforced by the police. Any person observed drinking in an AFZ will be advised that it is prohibited and may be given the opportunity to stop drinking. It also provides the NSW Police with powers to seize and dispose of alcohol without the need to issue a warning.

The declaration period for the AFZs is from 1 February 2018 to 31 January 2022. At the end of this period the AFZs may be re-established if required.

Refer to Council's website for maps showing the location of the AFZ's in Lennox Head, Alstonville, Ballina and Wardell.

► [submissions close: Wednesday 18 October 2017.](#)

**Enquiries:** Cheyne Willebrands, Manager Open Spaces and Resource Recovery, Ph 1300 864 444.

James Brideson

Doc No: 17/79753

27 September 2017

«Name»

Dear «Salutation»

**Re: Proposal to Re-establish Alcohol Free Zones in Lennox Head, Alstonville, Ballina and Wardell**

Supporting improved public health and safety is an important strategic objective for Council. In this regard, the implementation of Alcohol Free Zones (AFZs) in appropriate locations has been an essential part of our program. The current AFZs in Lennox Head, Alstonville, Ballina and Wardell are due to expire on 31 January 2018 and we are writing to invite you to contribute to the process to review a proposal to re-establish these zones.

It is our experience that the current zones have been effective by assisting Police to reduce the amount of alcohol related crime and anti-social behaviour. Therefore we propose for the existing AFZs to be re-established for a further 4 years, commencing 1 February 2018 to 31 January 2022. We also propose that the footprint for the zones remain as per the current arrangements. The location details for the proposed AFZs are shown on the attached map.

The operation of an AFZ means the consumption of alcohol on public roads, footpaths and carparks within the zone is prohibited. Police are able to confiscate alcohol from persons consuming alcohol within the zone. Further information regarding the establishment and operation of AFZs can be found in the Ministerial Guidelines on Alcohol Free Zones at: <http://www.olg.nsw.gov.au/sites/default/files/Ministerial-Guidelines-on-Alcohol-Free-Zones-February-2009.pdf>

We are seeking written submissions regarding this proposal until 11.00am on 30 October 2017 and would appreciate any comments you may wish to provide. Your submission will be included in the information reported to the elected Council when it determines whether or not to proceed with the proposal.

If you need further information or assistance in making your submission please contact James Brideson on 6686 1412.

Yours faithfully

Cheyne Willebrands  
**Manager Open Spaces & Resource Recovery**  
**Civil Services Group**

Encl.

John Truman

Doc: 17/81983

3 October 2017

The Hon Gabrielle Upton MP  
Minister for Local Government  
GPO Box 5341  
SYDNEY NSW 2001

Dear Ms Upton

**Re: Alcohol Free Zones**

The purpose of this letter is to present a suggestion in respect of the Ministerial Guidelines for Alcohol Free Zones (the Guidelines).

Council has recently reviewed the implementation of four Alcohol Free Zones (AFZs). Based on feedback from the NSW Police, which confirmed the success of the zones in respect of meeting their objectives, the Council resolved to re-establish the zones. However in undertaking this review the Council also formed the view that it would now be advantageous to amend the Guidelines in respect of the requirements which limit the duration of an AFZ to four years.

While we understand the public policy intent by the limited duration provision within the Guidelines, it is our position this provision is no longer preferred. Over time the Council has observed a noticeable shift in acceptance by the community for AFZs and other alcohol prohibition regulations implemented by Council. The four zones re-established by the recent Council resolution all relate to four different CBD precincts and this is the second or third renewal for these zones and it is clear there is strong ongoing support for the zones. The renewal process creates a demand on public resources to administer the consultation and review and in our opinion there is limited added value from the process. We have not received a submission in opposition to any of the dozen or more renewal process we have undertaken. Furthermore, implementing a zone without a fixed duration time avoids the cost of replacing signage as it is a current requirement for the dates of the zones to be recorded on the signs.

In respect of the increased general acceptance by the community for these AFZs, a comparison can be made to other public policy initiatives such as the compulsory wearing of seat belts, random breath testing and the requirement to wear a bike helmet which now receive considerable more support and compliance when compared to their initial introduction. In light of this and the opportunity to make some savings, Council suggests the Guidelines should be amended to provide councils with the option to implement a zone either with or without a duration limit. In this regard we note the Guidelines were last reviewed in 2009 and we therefore suggest it is timely for the Guidelines to be reviewed and updated to ensure they support contemporary needs.

We would like to thank you in advance for considering the above suggestion. If you need us to clarify our position further, please contact our Group Manager Civil Services, John Truman, on telephone 6686 1256.

Yours faithfully

John Truman  
**Group Manager**  
**Civil Services**





## NSW POLICE

### Richmond Local Area Command Crime Management Unit LICENSING OFFICE

5 Zadoc St  
Lismore NSW 2480  
Tel: (02) 6626 0624 E/N 65624  
Fax: (02) 6626 0566 E/N 6556  
Email: thortsim@police.nsw.gov.au

Thursday, 5 October 2017

General Manager  
Ballina Shire Council,  
40 Cherry St  
BALLINA, NSW, 2478

#### New South Wales Police Force submission for the reinstatement of Alcohol Free Zones in Alstonville, Ballina, Lennox Head and Wardell townships.

The irresponsible consumption of alcohol on roads, footpaths and in car parks can compromise their use by community members and increase the risk of alcohol related crime and antisocial behaviour in those areas including acts of violence and offensive conduct.

Alcohol Free Zones assist the New South Wales Police Force in being able to reduce the impact of alcohol related harm within the community.

#### BALLINA

Information obtained from the NSW Bureau of Crime Statistics and Research indicated that the rate of alcohol related disorderly conduct incidents in the suburb of Ballina over the past 5 years has been consistently higher than that for the rate of New South Wales. In the 12 month period between April 2016 and March 2017 47.8% of all alcohol related disorderly conduct incidents occurred on Road/Street/Footpath.

NSW Crime Statistics for Apr 2012 to Mar 2017: Incidents of Alcohol Related Disorderly conduct

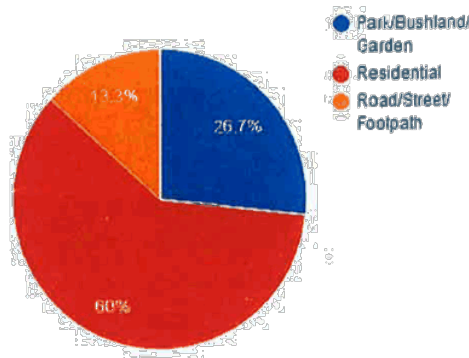
Suburb	To Mar 2017 Trend 5 year	Year to Mar 2013		Year to Mar 2014		Year to Mar 2015		Year to Mar 2016		Year to Mar 2017	
		Count	Rate	Count	Rate	Count	Rate	Count	Rate	Count	Rate
New South Wales	down 12.9% per year	8073	123.7	8303	111.7	8925	92.0	6156	80.8	5415	71.1
BALLINA	n.c.	24	292.1	22	266.8	30	363.1	12	145.2	23	278.4



### **LENNOX HEAD**

In the 12 month period between April 2016 and March 2017 that 40% of all alcohol related assaults occurred on Road/Street/Footpath, or Park/Bushland/Garden.

**Incidents of Alcohol Related Assault in Lennox Head suburb, Apr 2016 to Mar 2017 by Premises**



### **WARDELL**

Police have previously received a number of reports of assaults and anti social behaviour in the vicinity of the licensed premises in Wardell. It was reported that patrons purchased alcohol in single serves and moving out of the hotel and surrounds and consuming these drinks. Whilst this is not an offence by either the hotel management or the patron it is not in the spirit of the hotel license to sell take away bar service style drinks to be consumed off the premises in the surrounding streets. The take away provisions of the hotel license are intended for patrons to purchase sealed beverages to be taken off the premises and consumed at a later time and place.

On 25<sup>th</sup> June 2015 a public order incident occurred on Richmond St, WARDELL which involved approximately 100 people. Attending Police observed numerous intoxicated patrons drinking out of glasses, bottles and cans on the street outside the hotel and police had difficulty moving people on from the location. The crowd became aggressive towards police and police observed two violent confrontations. Police were unable to identify those involved due to the behavior and hostility of the crowd.

### **CRIME PREVENTION**

Alcohol Free Zones have a significant influence on the ability of police in being able to reduce alcohol related crime and anti-social behaviour in the Ballina Shire.

An example in the Ballina Shire Council where Alcohol Free Zones has had a dramatic decrease in anti-social behaviour and crime can be shown in Lennox Head.

This can be shown with the following table comparing the summer period prior to the Alcohol Free Zones for Lennox Head, with the same period of 2011/2012. The statistics show that there has been a decrease of incidents between 67% to 79% in the major incident categories.

24 October, 2017

Mr Cheyne Willebrands

Manager Open Spaces & Resource Recover

Ballina Shire Council.

40 Cherry Street,

BALLINA NSW 2478

Dear Shane

**Re: Proposal to Re-establish Alcohol Free Zones in Lennox Head, Alstonville, Ballina and Wardell.**

I strongly support the re-establishment of Alcohol Free Zones (AFZs) in the Lennox Head, Alstonville, Ballina and Wardell areas.

The establishment of these zones has greatly assisted police in reducing incidents of alcohol related crime and anti social behaviour and I would submit are essential tools for Police undertaking their daily duties.

The re-establishment of these zones keeps our towns in line with other holiday destinations that attract large number of tourists/ youth to the coastal fringe who may incorrectly believe that the consumption of alcohol along public streets, footpaths or car parks within the AF zones is acceptable.

Having the power to dispose of alcohol from persons who are consuming alcohol within a zone allows police to pro-actively address issues of public intoxication, anti social and alcohol related crime/criminal behaviour thus reinforcing public confidence and safety.

If I can be of further assistance please don't hesitate to contact me.

Yours faithfully



Bill MCKENNA

Chief Inspector / Duty Officer

Ballina Police Station