

PROPOSAL TO RE-ESTABLISH ALCOHOL-FREE ZONE

CREEDON STREET ZONE – BOUNDED BY CREEDON STREET FROM WILLS STREET THROUGH TO RAKOW STREET

1. INTRODUCTION

Alcohol-Free Zones established by Council have now been operating in Broken Hill since 2002.

Alcohol-Free Zones promote the use of roads, laneways, footpaths and car parks in safety.

Alcohol Free zones are established with Police consultation and are aimed at assisting community security and safety by preventing irresponsible consumption of alcohol in public places. 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.

The following outlines Council's recommendation for the Creedon Street Alcohol-Free Zone to be re-established upon expiry in November 2019. The City's Central Business District Alcohol-Free Zone remains in force.

A period of consultation with interested stakeholders and the general public closed on Wednesday, 25 September 2019.

2. BACKGROUND

Council proposes to re-establish an existing Alcohol-Free Zone in Broken Hill, known as the Creedon Street Alcohol-Free Zone. The boundary of the proposed Alcohol-Free Zone is as follows:

- The Zone known as Creedon Street including all public roads, laneways, footpaths and public car parks in an area bounded by Creedon Street from Wills Street through to Rakow Street.

3. REASONS FOR RE-ESTABLISHING THE ZONE

3.1 Views of the Barrier Local Area Command

The Broken Hill Police Force has remained fully supportive of the operation of Alcohol-Free Zones in Broken Hill. The zones are a valuable tool for Police to maintain the peace and good order of public places by utilising the powers found in the *Local Government Act 1993*.

The Zone area is defined as Creedon Street, between Wills Street and Rakow Street and was established at the request of the community after raising concerns about the serious amount of street drinking and anti-social behaviour in the area. This would include large gatherings of people sitting on the roadway consuming alcohol, disrupting traffic and endangering themselves by passing traffic.

The re-establishment of this Zone would prevent residents and their visitors consuming alcohol outside private properties.

3.2 Council's Views

Council is concerned with maintenance of public order and the protection of the property of both residents and ratepayers. Council wishes to continue to provide the Barrier Local Area Command of the New South Wales Police Force with a potentially effective means of control over such offences.

Council has no objections to the responsible consumption of alcohol. Unfortunately, alcohol can be associated with crime, violence, anti-social and offensive behaviour. This can lead to assaults, property damage and excessive noise which can seriously affect the lives of individuals and the community.

Council is concerned about the possibility of alcohol related interference with the use of public areas by members of the community and of alcohol related damage to ratepayer premises.

The re-establishment of Alcohol-Free Zones is an opportunity for Council, the Police and the Community to focus again on any community problems associated with irresponsible alcohol consumption and the range of strategies that can be implemented to address these problems.

The success evidenced by the zoning of the current area as an Alcohol-Free Zone should be continued and Council now proposes that the Alcohol-Free Zone be re-established for a period of four years.

4. PROPOSED DURATION OF ZONE

Council proposes to re-establish the zone for a further four-year period until November 2023.

5. SUSPENSION OF THE ZONE FOR SHORT PERIODS

Council intends to provide a mechanism enabling the suspension of the zone for short periods (eg 10am to 10pm) during special events. Notification of any such suspension of the Alcohol-Free Zone will be published in local newspapers.

6. PUBLIC COMMENT

In accordance with the requirements of the *Local Government Act 1993* comments on the proposal are sought from:

- a) the general public;
- b) the Officer in Charge of the Broken Hill Police;
- c) holders of liquor licences under the *Liquor Act 2007*, for premises which border on, adjoin, or are adjacent to the proposed zones;
- d) the secretaries of Registered Clubs under the *Registered Clubs Act 1976*, which border on, adjoin, or are adjacent to the proposed zones;
- e) any known organisation representing or able to speak on behalf of an identifiable Aboriginal or culturally and linguistically diverse group within the local area.

The period for comment closed on 25 September 2019 and one submission was received from the Broken Hill Police Force in support of the proposal.

7. PARKS AND RESERVES

It should be noted that Section 632A of the *Local Government Act 1993* provides Councils with the power to declare any public place (or any part of a public place) in the council's area to be an **alcohol prohibited area**. Council has advised the public by signposting in Sturt Park for many years that intoxicating liquor shall not be brought into or consumed within the reserve (Sturt Park). The same prohibition has also been introduced by Council at Patton Park, Queen Elizabeth Park, Norm Fox Sportsground, E.T. Lamb Memorial Oval, Riddiford Arboretum and at the Gasworks Reserve.

Under Section 632A, a police officer may seize any alcohol (and the bottle, can, receptacle or package in which it is contained) that is in the immediate possession of a person in an alcohol prohibited area, if the officer has reasonable cause to believe that the person is drinking, or is about to drink, or has recently been drinking, alcohol in the alcohol prohibited area.

The only difference between Alcohol Free Zones (which specifically relate to public roads, laneways, footpaths and public car parks) and alcohol prohibited areas within Council Parks and Reserves, is that two Sections of the *Local Government Act 1993* are in force.

8. RE-ESTABLISHMENT OF THE ZONE

Council considered and adopted re-establishment of the zone at its Ordinary Meeting held 30 October 2019, Minute No. 46109, following a period of public consultation.

9. ZONE MAP

Zone map (including aerial photography) comprising Creedon Street Zone including all public roads, laneways and footpaths in an area bounded by Creedon Street from Wills Street through to Rakow Street.





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