

Alcohol Regulated Areas Review – Final Stage I Report

Prepared for:



Rev: 30th September 2021

**ALISON ZILLER &
ALL ABOUT PLANNING**

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ALL ABOUT
PLANNING

PO BOX 2196
PORT MACQUARIE
NSW 2444
PH 02 6583 1305
FAX 02 6583 1368

ALCOHOL REGULATED AREAS REVIEW - STAGE I REPORT

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This report has been prepared in accordance with an agreement between All About Planning Pty, Alison Ziller and CN.

In preparing this report, All About Planning Pty Ltd has used and relied on data, plans and other information provided by CN, Alison Ziller and relevant others as detailed in this document. Except as otherwise stated, the accuracy and completeness of the information provided to All About Planning Pty Ltd for this review has not been independently verified.

This Review by All About Planning Pty Ltd should be read in conjunction with the following documents and other supporting material:

- GIS Collector App and Recorded Data
- Alcohol Regulated Zone and Area mapping, provided by CN

The completed Stage 1 and 2 of the Review will comprise:

- Audit of Existing Network
- Crime and Safety Research, locally-specific evidence and analysis
- Stakeholder Engagement activities
- Options for Newcastle AFZ and APA network process improvements
- Proposed Alcohol Regulated Network for next four year term (to 2024)

This Final Stage 1 Report comprises

1. Project Inception
2. Audit of the existing Newcastle AFZ and APA in the LGA, noting type and GIS location, along with damaged or missing street signage. Using GIS platform (ArcGIS Collector)
3. Undertake locally-specific anti-social behaviour/crime, linked to the public consumption of alcohol research and analysis (e.g. official local Police reports, BOCSAR, Liquor and Gaming NSW, etc).
4. Preparation of a Stakeholder Engagement Plan, consistent with statutory requirements and following identification of key stakeholders.
5. Preliminary recommendations for effective approaches and indicative ARA precincts
6. Legislation Overview relevant to Alcohol Regulated Areas.

About the Authors:

Alison Ziller is a Social Planner with an exceptional record of expertise in the field of liquor regulation and social impact assessment. Both AAP Directors likewise are skilled social planners and recognised town planning experts.

Alison Ziller and All About Planning's Directors have prepared a significant number of Social Impact Statements, strategic planning reviews and associated documentation, for a wide variety of public and private sector clients for over 30 years. Further our team are experienced in the conduct of site inspections and various forms of effective public consultation and community and stakeholder engagement.

For and on behalf of All About Planning Pty Ltd.

Yours sincerely


Michelle Chapman

Registered Planner, PIA (Fellow)
Director – All About Planning
Master Town Planning
Bachelor Urban & Regional Planning (Hons)
ALL ABOUT PLANNING



EXECUTIVE SUMMARY

City of Newcastle's (CN) current Alcohol Free Zones (AFZ) are at their term end, and statutorily require review. They may be re-established for a further period not exceeding four years. For holistic purposes, CN's Alcohol Prohibited Areas (APA's) are also being included in this alcohol regulated areas (ARA) review.

The City of Newcastle (CN) has approximately 170+ AFZ and 37 APA, extending from Maryland, Elmore Vale, Stockton, Merewether and Newcastle East, which, in Newcastle, are enforced by the NSW Police Local Area Command.

Sections 642 and 632A of the Local Government Act 1993 provide NSW Local Government with the power to establish an AFZ and APA, in locations where anti-social behaviour or crime has been linked to the public consumption of alcohol. An AFZ can be declared in any public road or car park and include the adjoining footpaths and nature strips. Approved outdoor dining areas are exempt from AFZ restrictions. An APA can be declared in any Council managed park, reserve and/or beach. Once established by a council, the drinking of alcohol is prohibited in these zones and areas at any or set times.

The objective of AFZ/APA's, collectively termed Alcohol Regulated Areas (ARA's) are to act as early intervention measures to prevent the escalation of irresponsible street drinking to incidents involving serious crime. They also aim to address alcohol related anti-social behaviour including disorderly behaviour in public places like streets, footpaths (excluding approved outdoor trading areas), public parks, beaches and reserves. They are tools best used as part of a broader strategy to manage alcohol related crime and anti-social behaviour.



The existing 2015 ARA GIS mapped network for Newcastle East, together with existing ARA network signage

Source: All About Planning Pty Ltd

ARAR REVIEW METHOD

Stage 1:

- Using the GIS Collector App, record ARA signage and area data and complete an audit of the existing LGA AFZ/APA network, GIS mapped by location, type, hours, damaged and or missing street signage.
- Review LGA crime and safety public consumption of alcohol data
- Prepare a Stakeholder Engagement Plan
- Review legislation and literature relevant to AFZ/APAs
- Prepare a Draft and Final Stage 1 Report

Stage 2:

- Undertake community and key stakeholder engagement
- Identify process improvement options (efficacy, measurement, management, etc)
- Draft an ARA network for a further four-year term (to 2025), using an evidence base rationale for proposed locations, scope, scale, type and hours, and street signage collateral
- Prepare a Draft and Final Stage 2 Report

Stage 3 (following formal public exhibition):

- Final network for a further four-year term (to 2025), GIS mapped

PROS AND CONS - AFZs and APAs

The key strengths and weaknesses of Alcohol Regulation of public spaces and areas in CN are:

- Literature and crime statistics confirm that ARA's are **best utilised as part of a broader strategy to manage alcohol related crime and anti-social behaviour**
- Whilst AFZ/APAs have not been proven to effectively reduce rate/number of recorded alcohol related anti-social behaviour and serious alcohol related crimes in a precinct/location, they provide **social and community safety benefits** and are of value when used as part of a broader strategy to address irresponsible alcohol consumption in public spaces
- **Promotion of public safety** - AFZs and APA's can assist in creating a sense of safety for public streets and places and can in turn contribute to local economic vitality. Implementation of ARA's demonstrates Council's commitment to providing a safer community for all
- **A proven management tool for local police** – NSW Police have primary responsibility for enforcement of AFZs and APA's, and who have consistently supported the continued use of APA and AFZ regulated areas within the CN
- **ARA's are widely adopted by NSW Council's as a helpful tool** in the regulation of alcohol consumption in the public domain
- Care has to be taken to ensure that the use of AFZs and APAs are not **discriminatory**
- ARA's allow for a direct **partnership with NSW Police and CN** and complement liquor accords, liquor licencing and CN's development assessment work of food and drink premises
- ARA's **promote healthy lifestyle choices**, when used with other health and wellbeing initiatives



Sunset View of the Ocean Baths and Newcastle Beach

Source: All About Planning Pty Ltd

GIS SIGNAGE AUDIT OUTCOMES

A 2021 GIS Signage Audit has formed a significant component of the Stage I ARAR work undertaken for CN. The key findings of this audit outlined in this report are as follows:

Alcohol Prohibited Areas:

- CN has 37 existing Alcohol Prohibited Areas (APA's) all of which have been audited.
- Existing mapped APA's extend from Maryland (in the North West of the city area), South West to Elermore Vale, North East to Stockton, South East to Merewether and to Newcastle East.
- A number of contradictions and discrepancies have been identified which require resolution.
- A standard approach is required for Alcohol Prohibited Areas within the CN.
- The current mapped APA's are to be extended to include all Skateparks and Beaches within the CN.
- Only existing mapped sportsfields with high hotspot crime mapping will be retained as an APA.

Alcohol Free Zones:

- Over 170 Alcohol Free Zones have been thoroughly audited as part of this review.
- In many instances AFZ's have been utilised in conjunction with a mapped APA, to seek to control public consumption of alcohol on streets adjacent to these key public spaces.
- Most existing CN AFZ signage is outdated or damaged, in many instances to a significant degree.
- AFZ signage within the CN is relatively small with a white background (similar to other road related signage) and therefore tends to blend into the road/urban landscape. A concerted effort is often required to visually locate AFZ signage.
- Clearer updated AFZ signage is needed, which is in date and not damaged.
- The current AFZ street based approach should be largely replaced by adoption of Alcohol Free Zone mapped Precincts to reflect the location of licensed premises and identified BOCSAR crime hot spots.
- Outside AFZ Precincts the current individual street based controls should be retained if there is a justifiable need for retention of or adoption of an AFZ due to the location of a licenced premises.
- When finalising alcohol regulated precinct boundaries, the overall number and location of established alcohol regulated land uses, being the location of licenced premises including bottle shops in that area should be taken into account.

I.0 INTRODUCTION

Alcohol Free Zones (AFZ) and Alcohol Prohibited Areas (APA) are an early intervention measure to restrict the consumption of alcohol in certain public spaces, and its possible escalation to incidents involving serious crime. They are one of the regulatory levers that assist NSW Police (and Council) to control irresponsible public drinking. Their application is also considered to positively benefit the community by promoting feelings of safety in these spaces. CN's AFZ and APA network forms part of a suite of council delivered crime prevention initiatives aimed at reducing anti-social behaviours linked to the public consumption of alcohol.

Sections 642 and 632A of the Local Government Act 1993 provide Local Government in NSW with the power to establish an AFZ/APA in locations where anti-social behaviour or crime has been linked to the public consumption of alcohol. CN has approximately 170 alcohol free zones and 37 alcohol prohibited areas in the LGA, extending from Maryland, Elmore Vale, Stockton, Merewether and to Newcastle East. Alcohol free zones are in place for up to four (4) years and are at term end for the Newcastle LGA, requiring review. CN's alcohol prohibited areas will also be included in the review for holistic purposes.

Along with seeking to reduce alcohol related crime and anti-social behaviour, AFZ/APA's have several social benefits when applied in a local area, including:

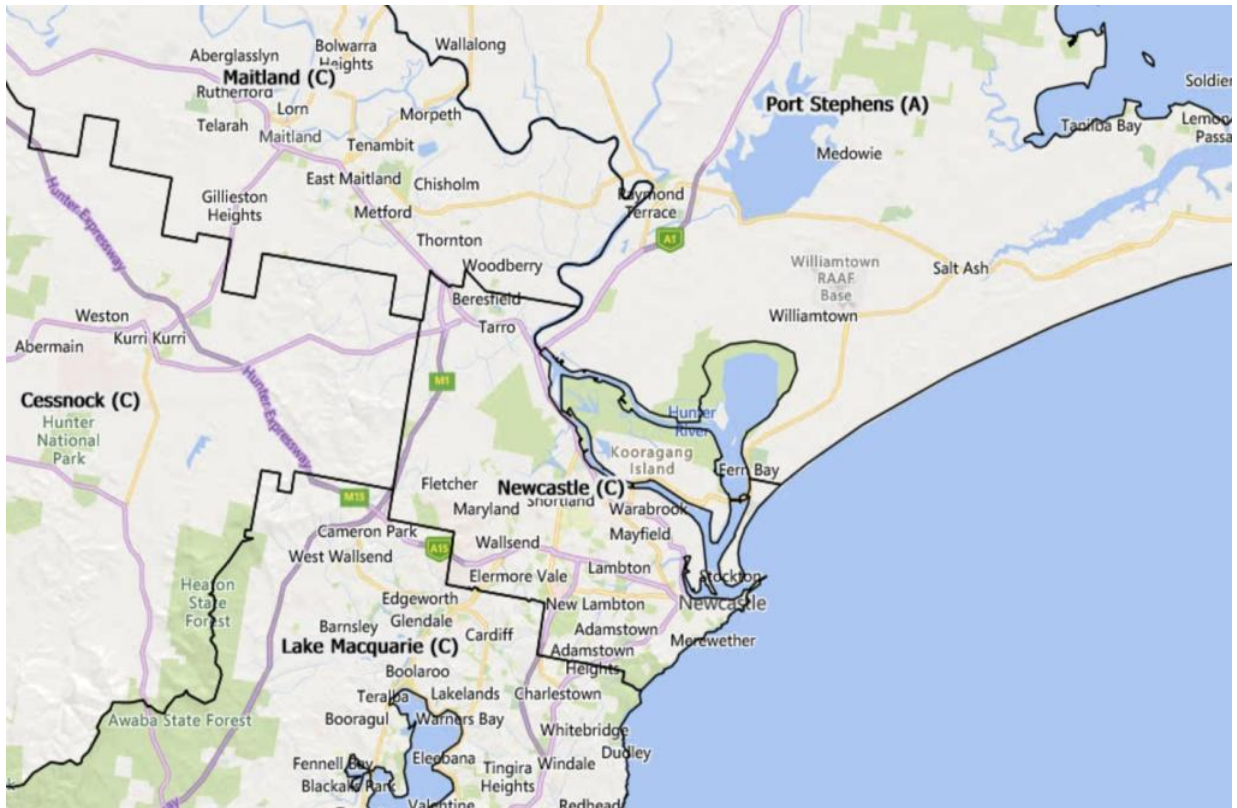
- Aiding public perceptions of community safety about an area/precinct, and in turn contributing to local economic viability;
- Providing a 'soft' regulatory leveler to assist NSW Police control irresponsible public space drinking;
- Formation of direct partnerships with NSW Police and liquor accords and licensed premises;
- Best utilised as part of a broader strategy to manage alcohol related crime and anti-social behaviour;
- Can promote healthy lifestyle choices, when used in conjunction with other health and wellbeing initiatives; and
- Implementation demonstrates Council's commitment to providing a safer community for all.

A holistic review of the AFZ/APA network across the LGA is seeking currency and alignment with intended purposes for the next four year term to 2025 and enhanced community understanding and consistent application.

This Stage I ARA Review has been prepared for CN as the first key step in reviewing CN's alcohol regulated areas. Stage I looks at the purpose of alcohol regulated areas, the regulatory framework for such areas, the differing characteristics of the existing regulated areas within CN and relevant statistics surrounding consumption of alcohol and alcohol (non-domestic) related violence within the CN.

2.0 DESCRIPTION OF AREA

CN is the primary urban area of the Hunter region. CN boundaries are identified on the map following. To the north of CN are the Local Government Areas (LGA's) of Port Stephens and Maitland. To the west is the Cessnock LGA and to the south is the Lake Macquarie LGA.



Map Source: <https://mangomap.com/robertyoung/maps/93143/NSW-LGAs#>



View of Newcastle Beach, part of Newcastle East with the Newcastle Ocean Baths. Photo taken from King Edward Park.

Source: All About Planning Pty Ltd

There are over 200 existing mapped alcohol regulated areas within CN, ranging from key public areas and streets to smaller, less obvious and even obscure locations. The existing CN Alcohol Regulated Areas are shown on six (6) separate maps, covering each of the following localities:

- Newcastle East
- Hamilton, Broadmeadow and Newcastle
- Elmore Vale and new Lambton Heights
- Mayfield and Islington
- Wallsend, Jesmond and New Lambton
- Stockton

These existing alcohol regulated area maps are included on the following pages.

The maps indicate both Alcohol Prohibited Areas (APA's) and Alcohol Free Zones (AFZ's). APA's are typically used to regulate the consumption of alcohol with public parks and other public areas and AFZ's are used to regulate the consumption of alcohol on public streets.

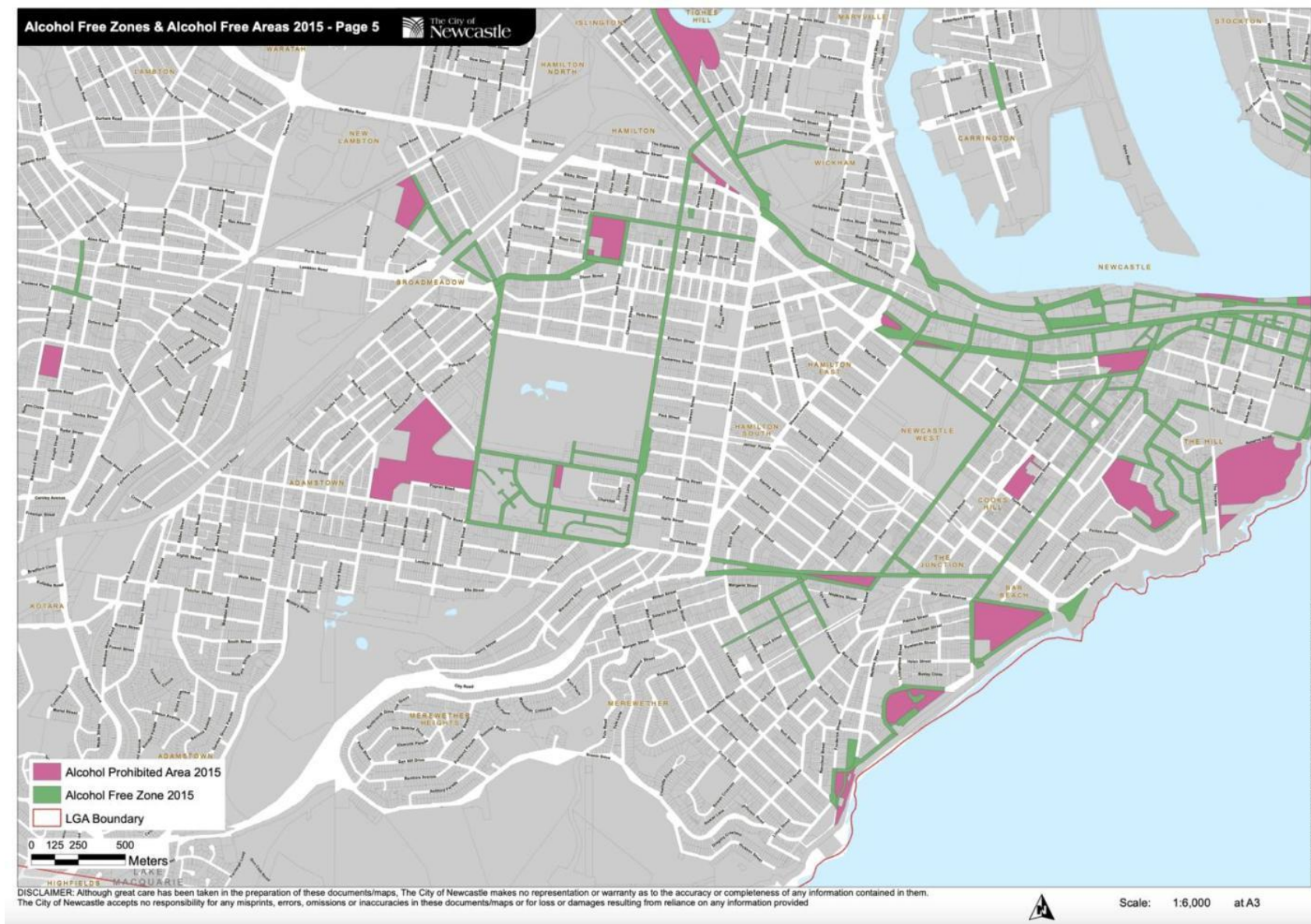
The application of an APA or an AFZ to a street or to an area does not preclude consumption of alcohol in a regulated area or street when a premises has been granted a street or other area dining permit or a special permit has been obtained from CN, such as to run a special event in a public place, following a report to CN.

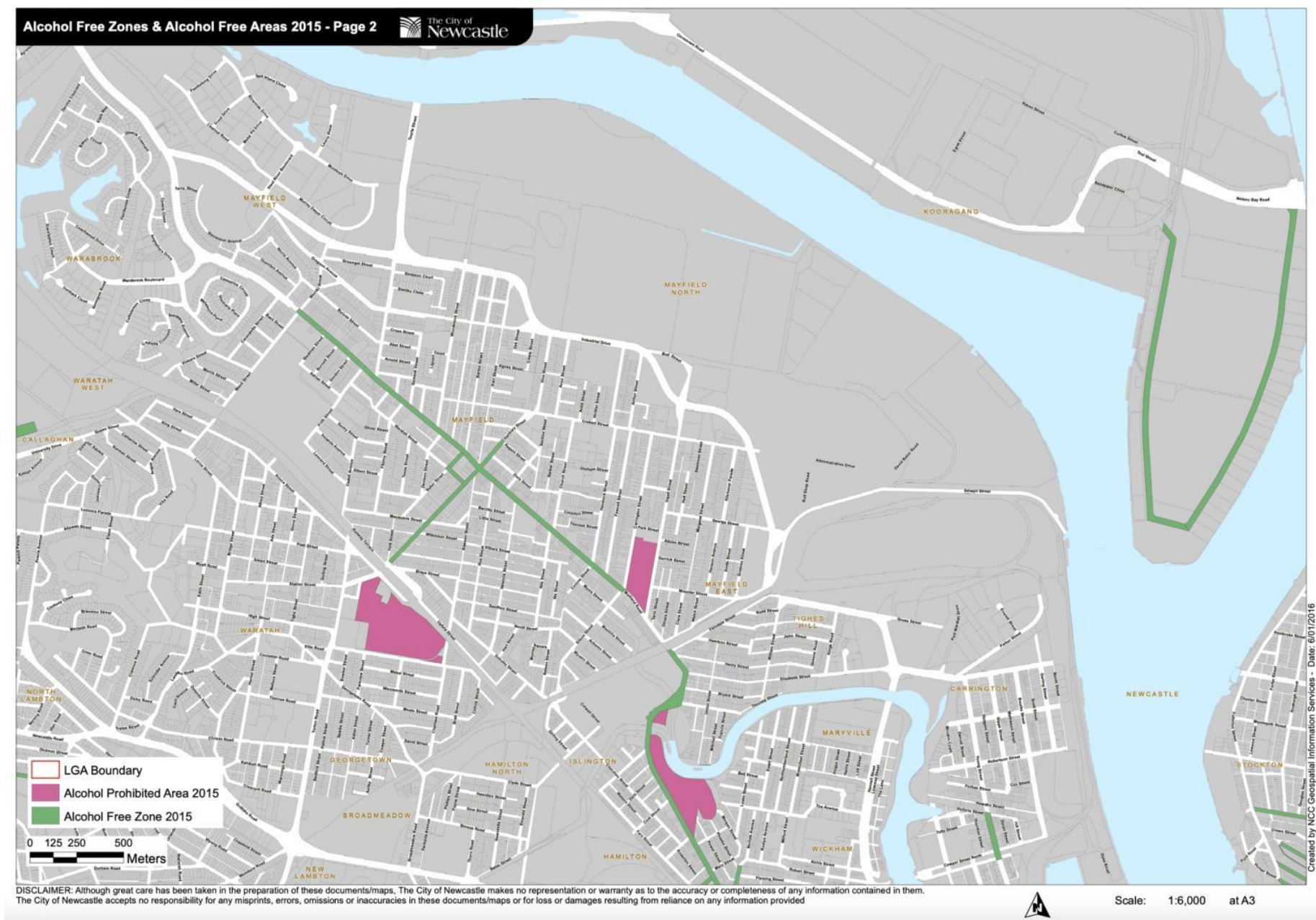


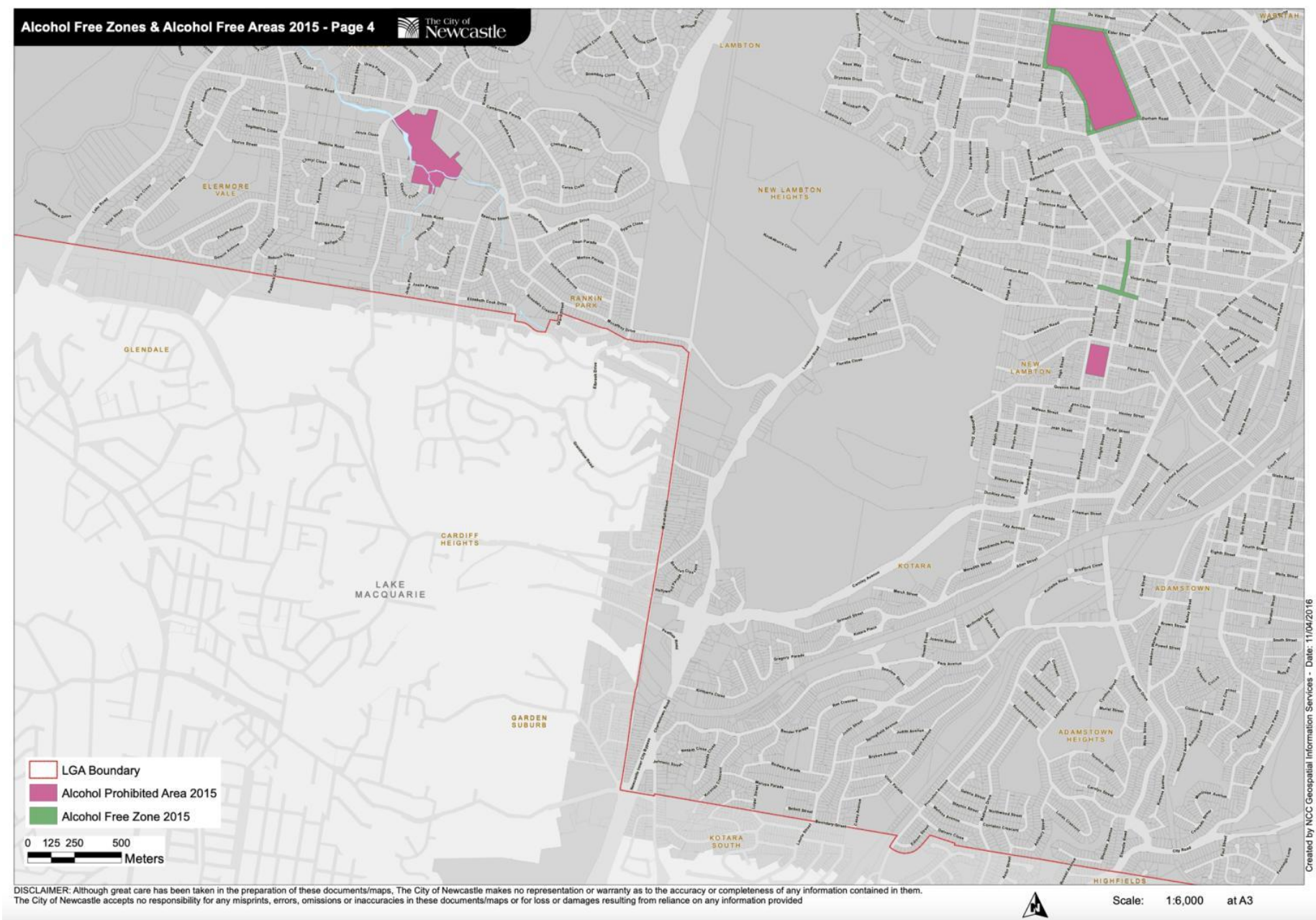
Hunter River View Source: All About Planning Pty Ltd

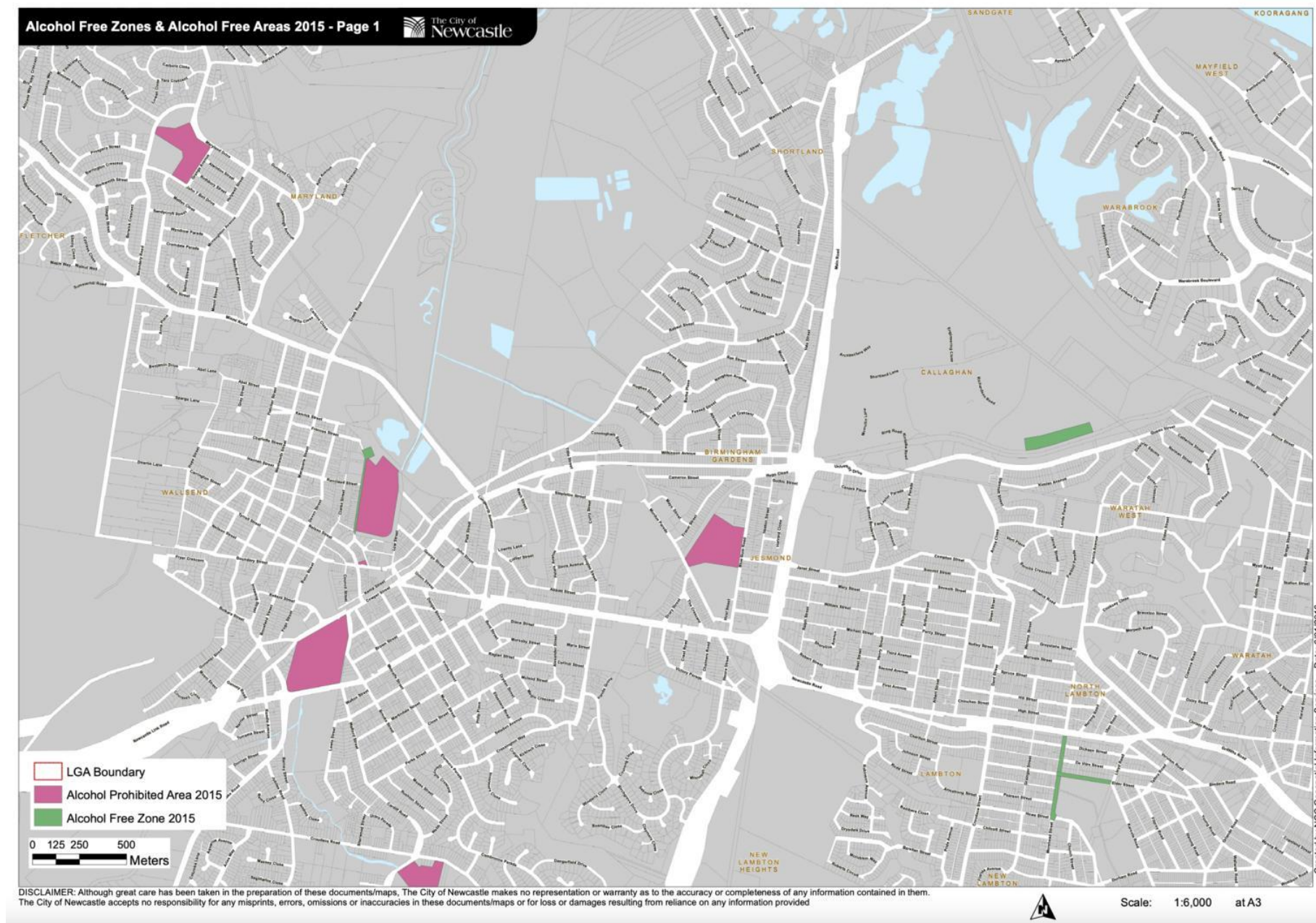
EXISTING ALCOHOL REGULATED AREAS –

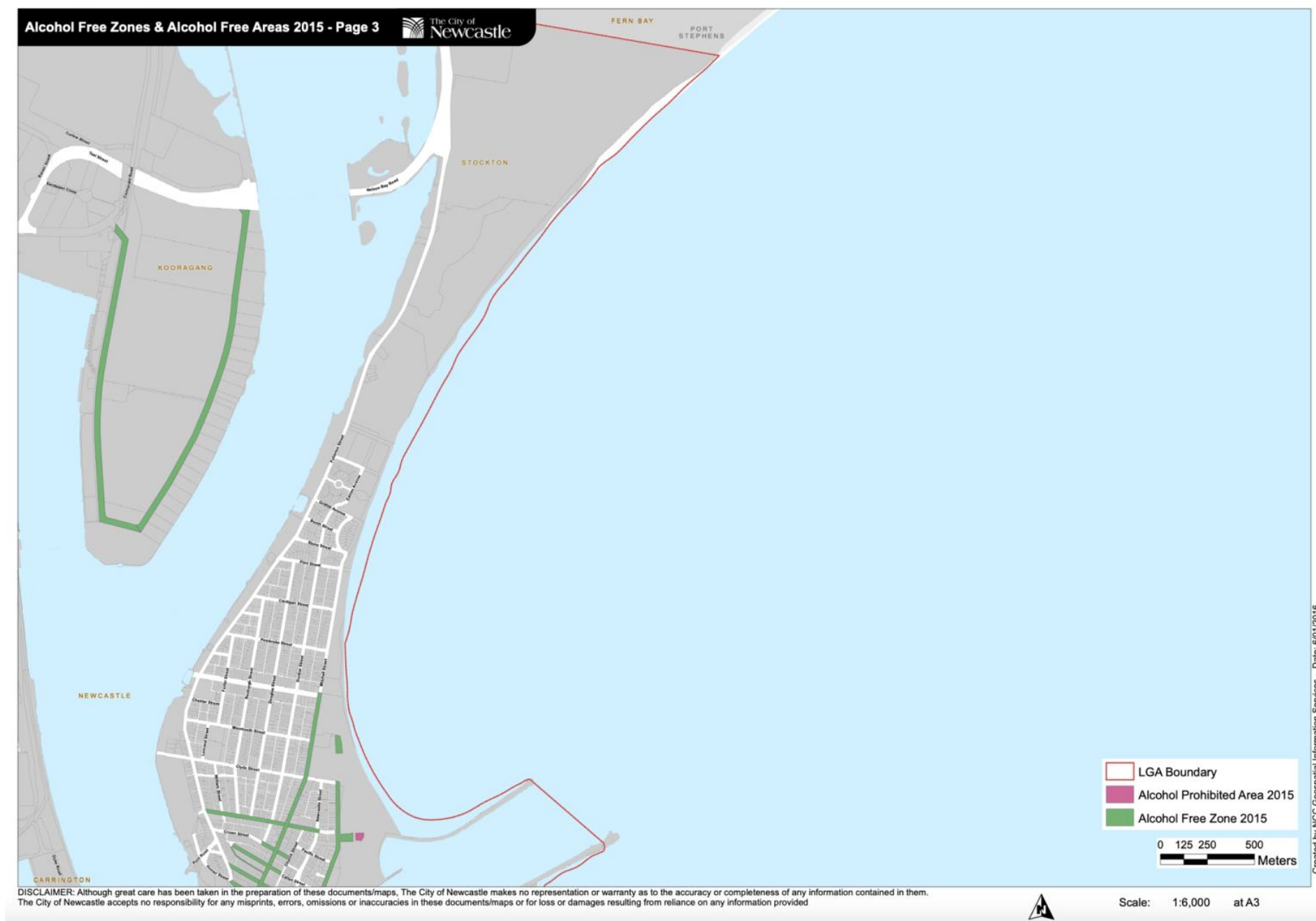
CN

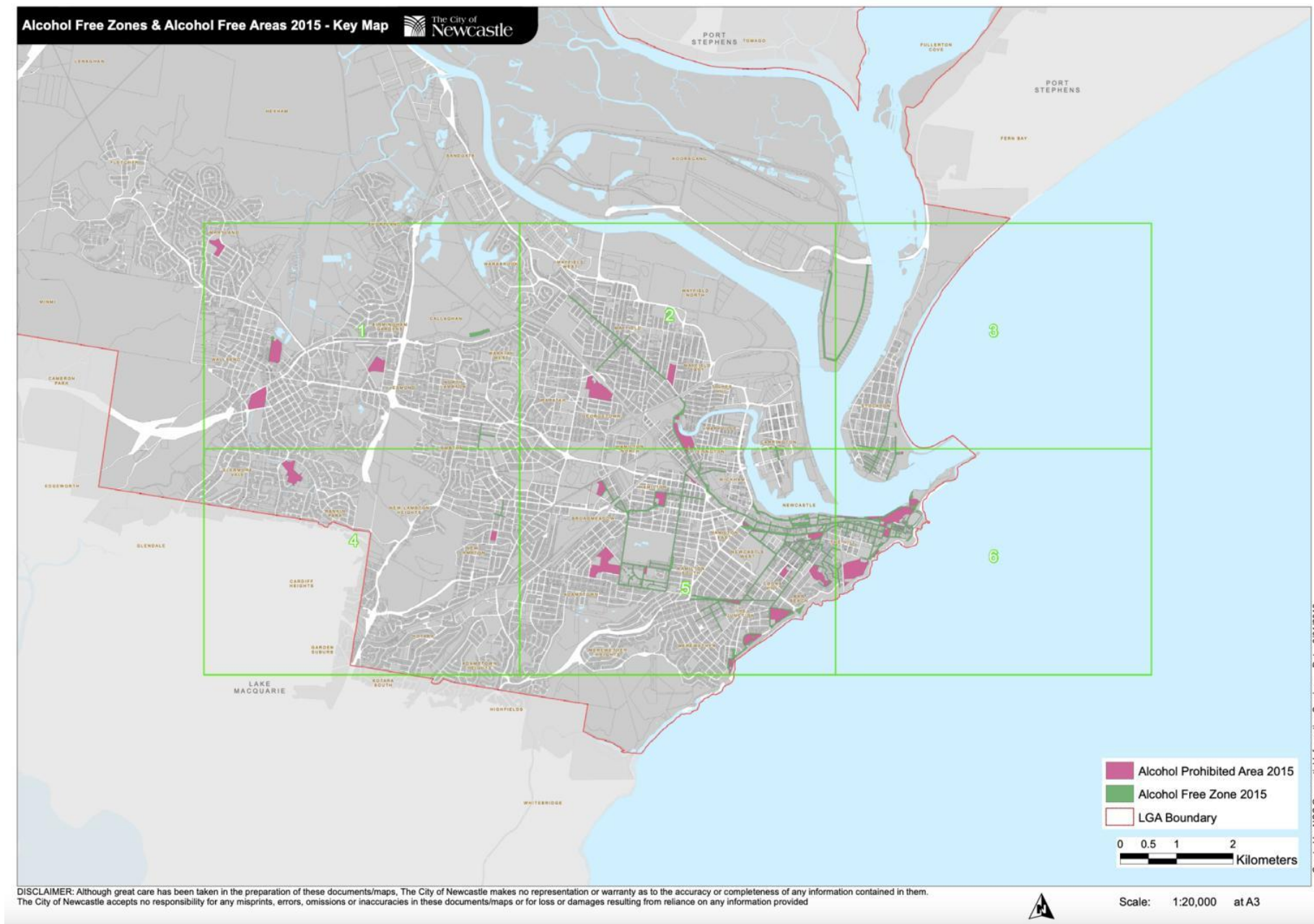












3.0 REGULATORY & POLICY FRAMEWORK

The consumption of alcohol in NSW and Australia is controlled by a variety of laws and regulation. Some laws apply broadly throughout the entire nation and some laws only apply to the state of NSW.

The enforcement of alcohol regulations in NSW is primarily a NSW Police responsibility, however the NSW Police can authorise other persons such as CN officers, to enforce alcohol regulated areas.

KEY FINDINGS:

- **APA's** can only be established with the agreement of the NSW Police Commander for the relevant area, while AFZ's do not. **AFZ's** are legally required to be reviewed every 4 years.
- **NSW Police** have primary responsibility for enforcing Alcohol Regulated Areas in the Newcastle Local Government Area (LGA).
- **Police Move On Powers** are a supplementary enforcement tool in circumstances where there is concern about a person harassing or intimidating others. Move on powers are not a preferred first response tool of NSW Police however as they can be regarded as heavy handed.
- **The advantage of APA and AFZ's** in terms of enforcement is that they act as a blanket prohibition on the consumption of alcohol in those areas during the times specified. Police are not required to demonstrate obstruction, harassment or unlawful supply of alcohol for example, in order to enforce an alcohol prohibition.
- In addition to the use of alcohol regulated areas, CN has **adopted other plans and policies related to the consumption of alcohol in public places**, being CN's Community Strategic Plan 2030 and the Newcastle After Dark Strategy (2018 – 2022).

3.1 Alcohol Free Zones [AFZs] and Alcohol Prohibited Areas [APAs]

NSW Local Government Act 1993

Control of alcohol consumption in streets (AFZs) and parks and other public areas (APAs) is established under Part 2 and Part 4 of the NSW Local Government Act 1993¹. Section 646 allows for Ministerial Guidelines for AFZ's to be adopted, these being the 'Ministerial Guidelines on Alcohol Free Zones, February 2009'².

¹ http://www5.austlii.edu.au/au/legis/nsw/consol_act/lga1993182/

² Ministerial Guidelines on Alcohol Free Zones, February 2009, NSW Department of Local Government

Section 644 allows Council's to establish AFZs on public roads and public carparks. This section references Ministerial Guidelines and stipulates a maximum 4 year term for AFZ's.

Section 644A contains the public consultation requirements for a proposal to establish an AFZ, and which relevantly include by published notice with a minimum 14 day response period from the published notice. The notice must invite representations or objections and state the place and dates on which and the times during which a copy of the proposal may be inspected.

This section also requires provision of a copy of the AFZ proposal to the following specific persons or groups:

- The officer in charge of the police station (within or nearest to the alcohol free zone/s) – 30 day consultation period
- Each holder of a licence in force under the Liquor Act 2007 for premises that border on, or adjoin or are adjacent to the AFZ – 30 day consultation period
- If required to do so under the Guidelines in force under Section 646, give a copy to the NSW Anti-Discrimination Board, indicating that any representations or objections must be made within 40 days after the copy has been given

Section 642 allows a police officer (or an enforcement officer if appointed to do so by the Police Commander) to confiscate alcohol if it is believed that a person is or has been or is about to consume alcohol in an AFZ.

Section 632A allows a police officer or an authorised Council Officer (authorised in writing by the Commissioner of Police) to confiscate alcohol in certain public and other places through the establishment of APA's.

Section 632A(4) of the Act enables councils to declare any public place or part of a place to be an Alcohol Prohibited Area, except those places (public roads, footpaths and car parks) which are to be dealt with under the Alcohol Free Zone provisions of the Act.

Public Housing Open Space and Adjacent APA's and AFZ's

Section 632A(5) provides that an APA can be established on public housing land, however an APA can only be established on such land if it is adjacent to an existing APA or AFZ and if that land is common area available to the public housing tenants and which is easily accessible from the adjacent APA or AFZ.

Artificial boundaries, for example a footpath running between a CN park and public housing open space, do not prevent the enforcement of the prohibition of alcohol across that space.

Public housing open space itself cannot be included in an Alcohol Prohibited Area without the consent of the NSW Land and Housing Corporation (LAHC) and without the approval of the NSW Commissioner of Police. There are no existing identified Public Housing open space areas in the CN which include an APA.

The public housing areas currently known to be adjacent to an APA are:

- Hamilton South
- Colliers Close, Newcastle East
- Croudace Road, Elmore Vale
- Greenslope Street, Bar Beach

The public housing areas currently known to be adjacent to an AFZ are:

- Hamilton South
- Darby Street, Cooks Hill
- Nobbys Road, Newcastle East
- Colliers Close, Newcastle East
- Ocean Street, Mereweather (opposite Dixon Park)

Consultation with the NSW Public Housing Authority is required to confirm if these APAs and AFZ's are fit for purpose/ still supported. Consultation with the relevant local area office is included in the Consultation Strategy for this project and advice from the Public Housing Authority will be included in the Stage 2 ARA Review Report.

Section 632A(7) sets out the minimum signage requirements for ARA's, which are erection of conspicuous signs at the outer limits and at suitable intervals within and which specify that drinking of alcohol in the area is prohibited and specifying the times or events during which the area operates.

Role of NSW Police Local Area Command & NSW Anti-Discrimination Board

Section 632A(8) provides that an APA cannot be established without the approval of the Police Area Commander. Councils must therefore seek and obtain the Local Area Commander's approval prior to establishing a new APA. This process will allow the Local Area Commander to consult with the relevant Community Safety Precinct Committee or similar body to help ensure that the decision to declare an area as alcohol prohibited is done transparently and in consideration of the community's wishes.

Section 632A(9) requires that if a Council is required to refer a proposed AFZ to the NSW Anti-Discrimination Board pursuant to the Ministerial Guidelines, the Council is also required to comply with the same consultation requirements applicable to AFZ's, in respect of any proposed APA. including consultation with relevant adjoining liquor license holders and the NSW Anti-Discrimination Board.

The NSW Local Government Act 1993 permits councils to prohibit alcohol consumption at any or at certain times. Although these terms apply to different public spaces, the NSW Office of Local Government advises

that their enforcement should be consistent.³ Public places or parts of places may be declared alcohol prohibited at all times, or only for specific days, times or events. For example, a CN may choose to make a park alcohol prohibited from dusk until dawn, or for the period 6pm on 31 December to 6am on 1 January each year.

Police and others (if they were to be authorised by the Local Area Commander) are able to request a person to cease consuming alcohol and if necessary confiscate or tip out alcohol being consumed. A fine may also be imposed for non-cooperation.

The aim of these alcohol regulated area controls is to prevent irresponsible behaviours such as littering and obstruction as well as more serious behaviours such as assault and malicious damage.⁴

NSW Local Government Amendment (Confiscation of Alcohol) Act 2010

This Act was assented to in December 2010 and provides “power to Police and authorised CN enforcement officers to confiscate and tip out alcohol in the possession of a person who is in an area where alcohol consumption is prohibited by a notice under Section 632 (for existing Alcohol Prohibited Areas) and Section 632A (for newly established Alcohol Prohibited Areas) of the Local Government Act 1993 (the Act).

The effect of these amendments is to provide consistent enforcement powers for both Alcohol-Free Zones and Alcohol Prohibited Areas.” <https://www.olg.nsw.gov.au/CN-circulars/governance/CN-circular-10-33-alcohol-prohibited-areas-amendments-to-the-local-government-act-1993/>

The Circular details the effect of the Amendment Act, confirming that:

- there is now a delineation between notices erected by a CN which prohibit alcohol consumption in public places such as parks and beaches (Section 632A) and other notices (under Section 632) which prohibit other activities (eg, skate boarding, dogs off leash).
- Under the changes, notices erected by councils prohibiting the consumption of alcohol will no longer be made under Section 632 and instead will be made under Section 632A(4).

³ OLG Circular Alcohol Prohibited Areas – Amendments to the Local Government Act 1993 10-33: <https://www.olg.nsw.gov.au/CN-circulars/governance/CN-circular-10-33-alcohol-prohibited-areas-amendments-to-the-local-government-act-1993/>

⁴ Department of Local Government, Ministerial Guidelines on Alcohol-Free Zones, February 2009: <https://www.olg.nsw.gov.au/CN-circulars/governance/CN-circular-10-33-alcohol-prohibited-areas-amendments-to-the-local-government-act-1993/>

NSW Government Ministerial Guidelines on Alcohol Free Zones 2009

The NSW Department of Local Government prepared Ministerial Guidelines on Alcohol Free Zones in February 2009 which set out procedural, operational, location and consultation requirements for the establishment of AFZ's by local Councils.

The Guidelines acknowledge that AFZ's impose restrictions on the personal freedom of citizens. As such, they require that a proposal to establish an AFZ must adequately address the following matters:

- The reasons to support an AFZ, being whether irresponsible behaviour arising from consumption of alcohol is occurring in the subject area.
- Legitimate reasons can include incidences of obstruction, littering, the actual commission of, or police intervention to avoid commission of, more serious offences such as malicious damage (and assault).
- The expectation of the safe use of streets and places by members of the public.

The congregation of drinkers where irresponsible behaviour does not occur or general conduciveness to business or tourist activities or personal beliefs are not an adequate reason to adopt an AFZ.

AFZ's are recommended to be as small as possible and must only extend to areas that can be supported for the reasons detailed above. There are some exceptions to this scope of AFZ's, where there is broad consensus that a 'whole town' approach will be most beneficial.

AFZ's should primarily be located adjacent to outlets supplying alcohol where drinkers congregate. Known alcohol related crime hotspots can be the exception to this.

The Guidelines require consultation with:

- The community (by way of public notice and formal exhibition)
- The Local Police Area Commander,
- Liquor licensees and secretaries of registered clubs adjacent to AFZ's (and APA's)
- NSW Anti-discrimination Board (for specified Councils, including CN)
- Known organisations representing or able to speak on behalf of an identifiable Aboriginal or culturally and linguistically diverse group within the local area

Councils are required to give proper consideration to all representations, submissions and objections received and may amend the proposal. Any enlargement of the proposed network has to be supported by reasons.

The Guidelines also require consultation with the police regarding the placement of AFZ and APA signage. At a minimum signage is required under the Ministerial Guidelines to be placed at the outer limits of the

zone, at the site of specific trouble spots as indicated by the police and at other suitable intervals within the zone.

The content of the signage is also specified being, that alcohol consumption is prohibited and that alcohol may be seized and disposed of if it is being consumed and any relevant starting or finishing dates for the zone.

The Guidelines also recommend that signage:

- Is consistent, using easily recognisable symbols
- includes a map of the area being defined
- Signage can be complemented by incorporation of spray painted 'no alcohol' symbols on footpaths
- Consider the International Organisation for Standardisation for sizing requirements and font sizes for letters used in symbols, when adopting signage
- Councils are encouraged to use symbols on their signage which don't rely on high levels of literacy
- The local Aboriginal community may be engaged to design signs which are also appropriate for their community.

Provisions are also included for the re-establishment of an AFZ, being that Council is to have regard to previous AFZ areas, including:

- What were the factors that originally supported a zoning in that area?
- How successful was the previous AFZ in achieving a reduction in unacceptable street drinking?
- What do police statistics indicate about the value of re-establishing an AFZ in that area?
- What other measures may need to be considered (eg. community education program) if unacceptable street drinking is still of concern in that area?
- Has the community's perceptions of safety improved?

The Guidelines additionally encourage the running of a community education campaign in line with the establishment of any AFZ.

Special Consultation Requirements

The Ministerial Guideline for AFZ's requires consultation with the Anti-Discrimination Board (ADB) and which provides a measure of protection against the possibility of a discriminatory impact upon certain groups in the community when establishing AFZs.

Those councils (including CN) which are identified in the Ministerial Guidelines on Alcohol-Free Zones as being required to inform the ADB of their proposal to establish an AFZs must comply with the consultation requirements of those Guidelines when seeking to establish new AFZ. The ADB will be consulted at the conclusion of the formal public exhibition period for this Review and the Board will be provided a copy of the submissions received, as required.

Offences and Penalties

Consistent with Alcohol-Free Zones, monetary penalties no longer apply in relation to the consumption of alcohol in an Alcohol Prohibited Area. Instead, confiscation and ‘tip out’ powers apply to Alcohol Prohibited Areas. It is noted that in circumstances where a person does not cooperate with a request by the Police or an authorised CN enforcement officer to hand over alcohol in an Alcohol Prohibited Area or Alcohol-Free Zone, they can be charged with obstruction under the Local Government Act 1993, which carries a maximum penalty of \$2,200. Police and authorised CN enforcement officers have the power to tip out or otherwise confiscate alcohol being consumed in an Alcohol Prohibited Area.

Where councils identify benefits to their community for their officers to enforce Alcohol Prohibited Areas, the General Manager will need to liaise with the Police Local Area Commander to ensure that CN officers are suitable for this role and are provided written authorisation. Only authorised employees of CN and not contractors, who may be otherwise engaged by a CN to provide regulatory services, can be authorised for this purpose. Currently CN has no such authorised officers and initial consultation with the CN Rangers section indicates there is no intent to seek authorisation at this time.

3.2 Other relevant police powers

Police move on powers

Police additionally have a range of broader powers not specifically relating to alcohol consumption which can be applied to similar circumstances under Part 14 of the Law Enforcement (Powers and Responsibilities) Act 2002 (NSW). NSW Legal Aid confirms that: *“Police can give you directions if you are in a public place and they believe on reasonable grounds that you are:*

- *obstructing another person*
- *obstructing traffic*
- *harassing or intimidating another person or persons*
- *causing, or likely to cause, fear to another person or persons*
- *unlawfully supplying, or intending to unlawfully supply, or soliciting another person or persons to unlawfully supply, any prohibited drug*
- *attempting to obtain prohibited drugs*

If you are intoxicated (affected by alcohol or drugs) in a public place police may tell you to leave an area for up to 6 hours if the police believe on reasonable grounds that your behaviour:

- *is likely to cause injury to any other person or persons or damage to property, or,*
- *otherwise gives rise to a risk to public safety, or,*
- *is disorderly.*

If it is practicable, the police must tell you their name and place of duty and the reason for the direction. It is an offence not to comply with the direction. It is also an offence to be intoxicated in the same or another public place within 6 hours of being given a move on direction for being intoxicated and disorderly in a public place.”

3.3 Detention of Intoxicated Persons

A police officer may detain an intoxicated person (who is seriously affected by alcohol or drugs) in a public place if they are found to be:

- behaving in a disorderly manner, or,
- behaving in a manner likely to cause injury to yourself, another person or damage to property, or,
- are in need of physical protection because of intoxication.

“Police powers in NSW in relation to intoxicated people allow police to issue directions to move on from a particular place for a specified time, which must not be more than six hours. This legislation, which previously only extended to people in groups of three or more, now extends to individuals. When making a move on order to an intoxicated person, the police officer must believe on reasonable grounds that their behaviour, as a result of intoxication is likely:

- *To cause injury to any other person or people*
- *Damage to property*
- *Give rise to risk in public safety; or*
- *Is disorderly*

Warnings for a move on order if a person is intoxicated involve the same two steps outlined above but also require the police to tell them that it is an offence to be drunk and disorderly in that particular place, or any other public place for the next six hours.

Not complying with a move on direction is an offence punishable with a maximum fine of \$220, and police can issue fines on the spot.

Continuing to be drunk and disorderly following a move on direction is also an offence under the [Summary Offences Act](#). The penalty for refusing to move on is \$1,650.”

(Sydney Criminal Lawyers, <https://www.sydneycriminallawyers.com.au/blog/what-are-the-police-powers-in-nsw-in-relation-to-move-on-powers/>)

3.4 Community Strategic Plan (Newcastle 2030)

CN’s Strategic Plan represents the highest level of strategic planning undertaken by local government. Newcastle 2030 comprises the community’s vision, objectives, strategies and desired outcomes for

Newcastle and informs CN's policies and actions for the next 10 years and beyond. The Alcohol Regulated Areas Review project contributes to the following Newcastle 2030 plan objective, being the creation of:

- Vibrant, Safe and Active Public Places – 3.3 Safe and activated places that are used by people day and night.

3.5 Newcastle After Dark Strategy 2018-2022

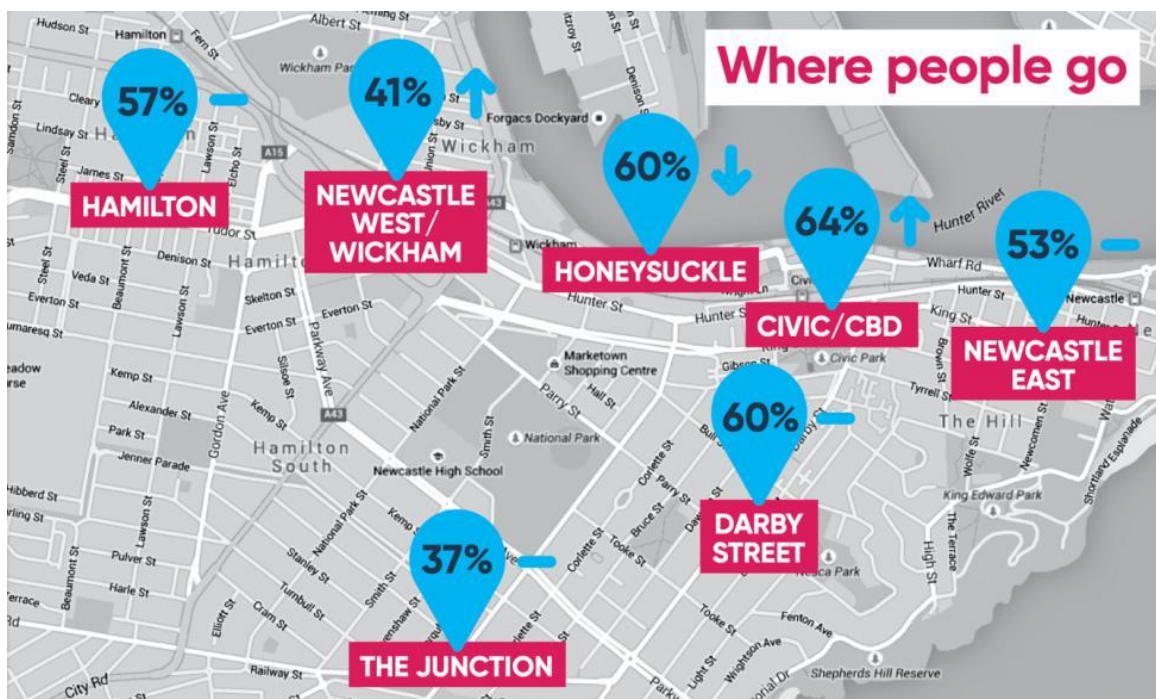
CN has a vibrant cosmopolitan atmosphere and CN's 'Newcastle After Dark' four year strategy contains key priorities and actions to be delivered by them in their commitment to leading the development of a safe, vibrant night-time economy for Newcastle.

The strategy identifies six priority areas including strategic alcohol management, night-time economic development and cultural participation and activation.

One in four people who completed CN's After Dark survey said they noted the lack of people out or felt isolated on their last visit to Newcastle at night. The next most common negative experiences were anti-social behavior and over-intoxication, reported by about one in seven people, (Newcastle After Dark Survey Report – September 2020).

<https://newcastle.nsw.gov.au/Newcastle/media/DocumentsHYS/Engagement%20Projects/Newcastle%20after%20dark/2020-Newcastle-after-dark-snapshot.pdf>

Additionally, a total of 14% of evening visitors to Newcastle confirmed they had experienced negative antisocial behavior and were impacted by over intoxication, which is not an insignificant number of persons.



Above: Extract from CN's After Dark Community Survey 2020

CN is keen to support city centre revitalisation including through facilitating a night time economy. To this end CN makes a distinction between what they consider to be low impact alcohol regulated venues such as small bars, restaurants, cinemas, theatres, galleries, microbreweries and comedy clubs, compared to high impact venues, noting that these venues have not historically been associated with negative social impacts in Newcastle.” (Source: <https://newcastle.nsw.gov.au/have-your-say/projects/newcastle-after-dark#what-does-'low-impact-venue'-mean>)



Friday Night Jazz at Frankies Dumplings, Carrington

Source: All About Planning Pty Ltd

CN's After Dark 2020 Survey Report states that:

- ***“Hamilton continues to have the weakest public perceptions of all areas as being safe. Hamilton remains the third most visited precinct, attracting a younger crowd, particularly those aged 18-24 years. It is a late night destination.”***
- ***“Newcastle West is an emerging precinct of growth since 2015 both in the number of people reporting visiting this area in the past 12 months and visiting here most often. The area **has weak perceptions relative to other precincts on being safe**, diverse and creative, and the incidence of incivility and over-intoxication is slightly higher than other areas.”***

4.0 ARA GIS SIGNAGE AUDIT

An ARA GIS Signage Audit has formed a significant component of the Stage I work undertaken for CN.

4.1 Signage Audit

The signage audit was completed in May – June 2021 in person by Peter and Michelle Chapman, Co-Directors of All About Planning Pty Ltd, to ensure a high level of consistency of mapped signage outcomes and to protect the overall report quality. It was considered important that the ARA report authors were also personally familiar with the signage situation on the ground for the areas being reported on.

KEY FINDINGS:

Alcohol Prohibited Areas:

- CN has 37 existing Alcohol Prohibited Areas (APA's) all of which have been audited.
- Existing mapped APA's extend from Maryland (in the North West of the city area), South West to Elmore Vale, North East to Stockton, South East to Merewether and to Newcastle East.
- A number of contradictions and discrepancies have been identified which require resolution.
- A standard approach is required for Alcohol Prohibited Areas within the CN.
- That the mapped APA's be extended to include all Skateparks and Beaches within the CN.
- That the existing APA sportsfields also mapped as having a high BOCSAR hotspot for assault (non-domestic) or malicious damage be retained as an APA.

Alcohol Free Zones:

- Over 170 Alcohol Free Zones have been thoroughly audited as part of this review.
- In many instances AFZ's have been utilised in conjunction with a mapped APA, to seek to control public consumption of alcohol on streets adjacent to these key public spaces.
- The majority of existing AFZ signage in CN is outdated and/or damaged, and in many instances to a significant degree.
- AFZ signage within the CN is relatively small with a white background (similar to other road related signage) and therefore tends to blend into the road/urban landscape. A concerted effort is often required to visually locate AFZ signage.
- Clearer updated AFZ signage is needed, which is in date and not damaged.
- The current AFZ street based approach should be largely replaced by adoption of Alcohol Free mapped Precincts that reflect the location of licensed premises and identified alcohol related crime hot spots.
- Outside AFZ Precincts the current individual street based controls should be retained if there is a justifiable need for retention of or adoption of an AFZ due to the location of a licenced premises.
- When finalising alcohol regulated precinct boundaries, the overall number and location of established alcohol regulated land uses, including the location of nightclubs and bottle shops in that area should be taken into account.

The GIS mapping undertaken for CN has involved the following elements:

- Use of the Council Arc GIS Collector app via a hand held device, to map every alcohol regulated sign within CN
- Record the sign position, sign content including any timed restrictions and any damaged or illegible alcohol regulated signage
- Photograph the sign
- Record any missing alcohol related signage
- Note any signage controlling alcohol consumption that is not within a mapped Alcohol Prohibited Area or mapped Alcohol Free Zone.



Peter Chapman, a GIS Signage Auditor for the ARA Review. Source: All About Planning Pty Ltd

The audit required extensive interrogation of existing public spaces and streets within CN. A number of discrepancies and areas either missing signs or signage outside of GIS mapped areas were identified. There was also a significant overall lack of Alcohol Free Zone signage across the board for what are considered to be significant mapped AFZ streets. A large number of signs that were also faded, peeling, deliberately damaged or illegible.

All CN's alcohol regulated signs are now well out of date, with the latest referenced date for AFZ signage recorded as being 2019. Additionally, a significant number of the existing signs are damaged or defaced. It is therefore clear that an update of existing signage is required.

Some examples of existing outdated and damaged signage is included below. Signs photographs for all recorded existing sign locations are uploaded for ongoing reference using Council's GIS Collector app.



Existing outdated, damaged and defaced AFZ Signage within CN Source: All About Planning Pty Ltd

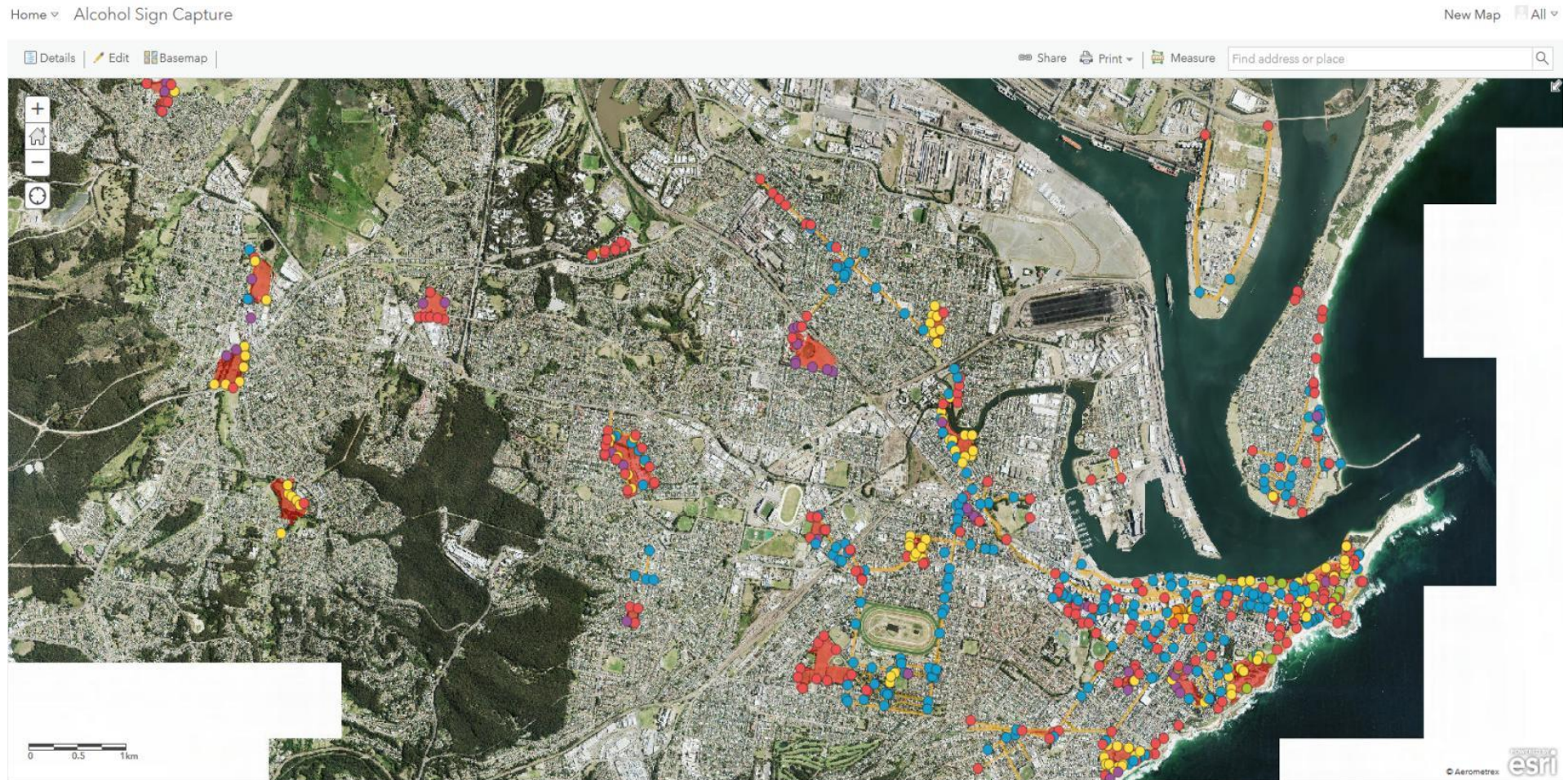
Prior to embarking on a replacement signage works program however it imperative to review the reasons for ARA signage and to develop a consistent approach and strategy for all ARA signage moving forward from this point.

The CN existing mapped APAs are highlighted by red shading on the following GIS mapping extracts and are tabulated by name below:

1. Grange Av, Maryland	2. Wallsend North	3. Wallsend Pagoda
4. Wallsend South	5. Ellermore Vale	6. Jesmond
7. Lambton	8. New Lambton	9. Waratah
10. Mayfield	11. Islington North	12. Islington South
13. Broadmeadow	14. Adamstown	15. Hamilton
16. Hamilton South	17. Hamilton Station West	18. Hamilton Station East
19. Newcastle West Area A	20. Newcastle West Area B	21. The Junction
22. Merewether Area A	23. Merewether Area B	24. Merewether Dixon Park
25. Bar Beach	26. Cooks Hill	27. The Hill
28. Civic Park	29. King Edward Park	30. Newcastle Beach
31. Newcastle East Area A	32. Newcastle East Area B	33. Newcastle East Area C
34. Nobbys Beach	35. Riverfront Park Area A	36. Riverfront Park Area B
37. Stockton Skate Park		

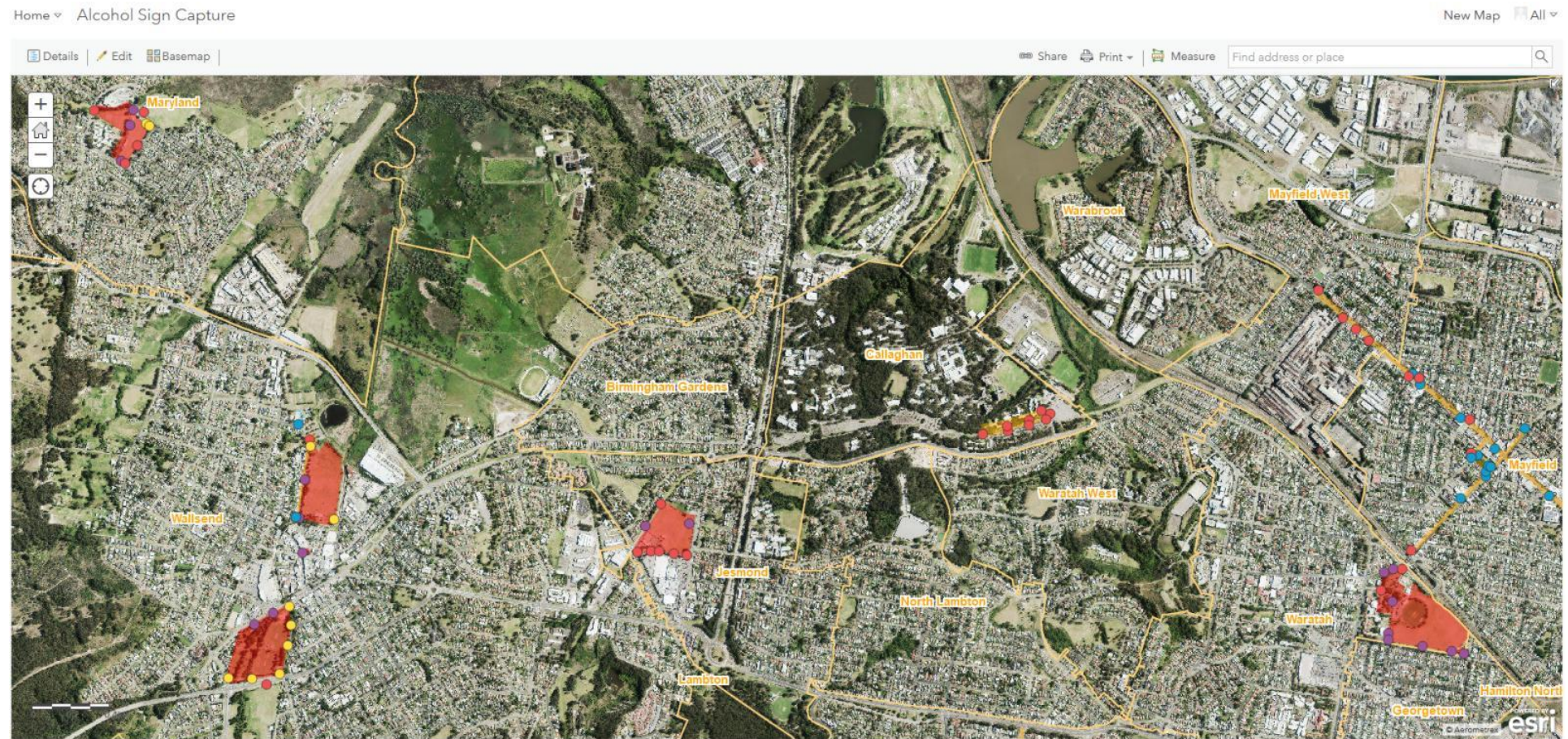
Alcohol Regulated Area Audit by All About Planning Pty Ltd – ARC GIS Collector Mapping Images:

The following map images are extracted from the Arc GIS Collector App and demonstrate the range and intensity of investigation that has been required to conduct the CN Alcohol Regulated Area Audit.



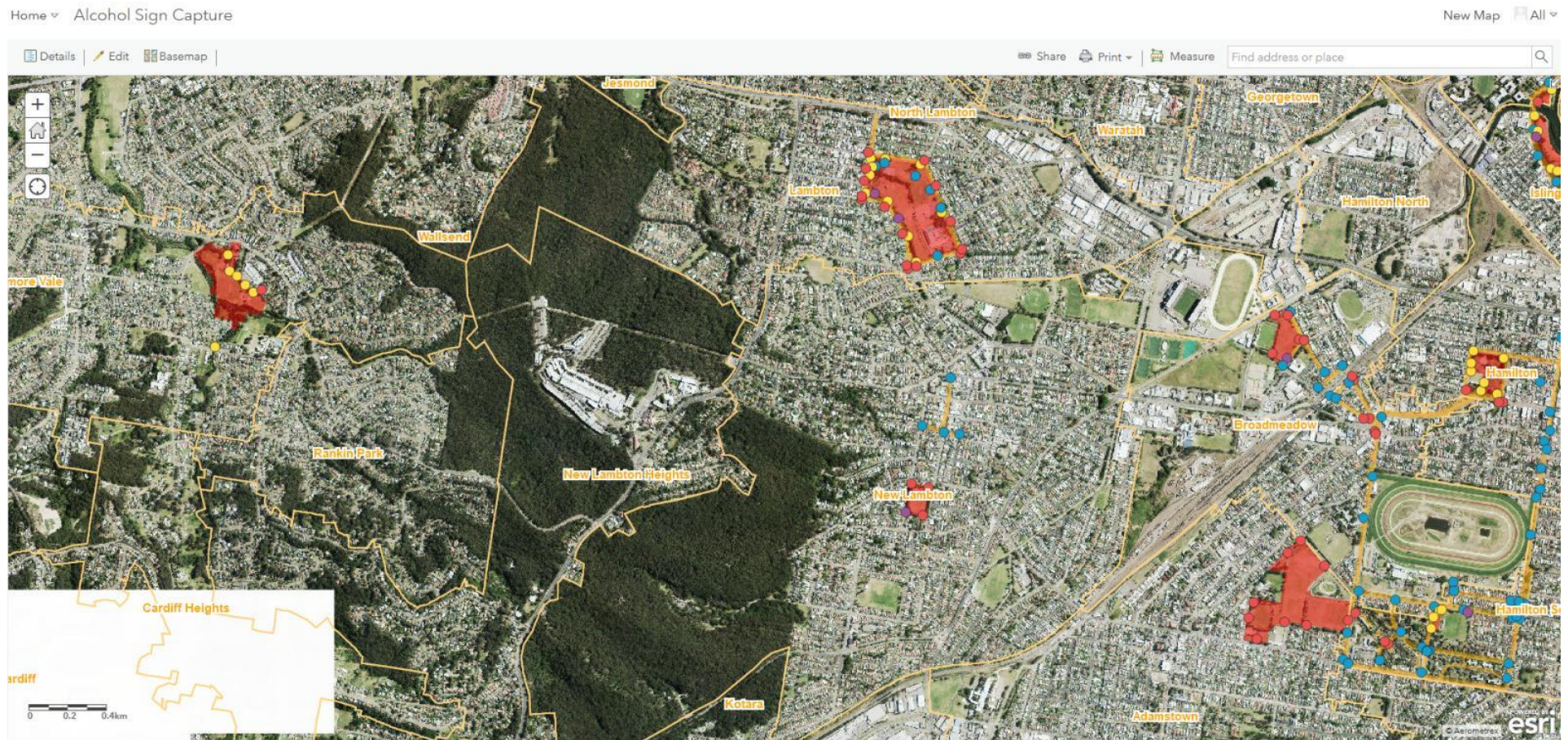
Entire ESRI GIS Mapped Area for CN Source: Extract from ARC GIS Collector App

Newcastle LGA, North West Sector

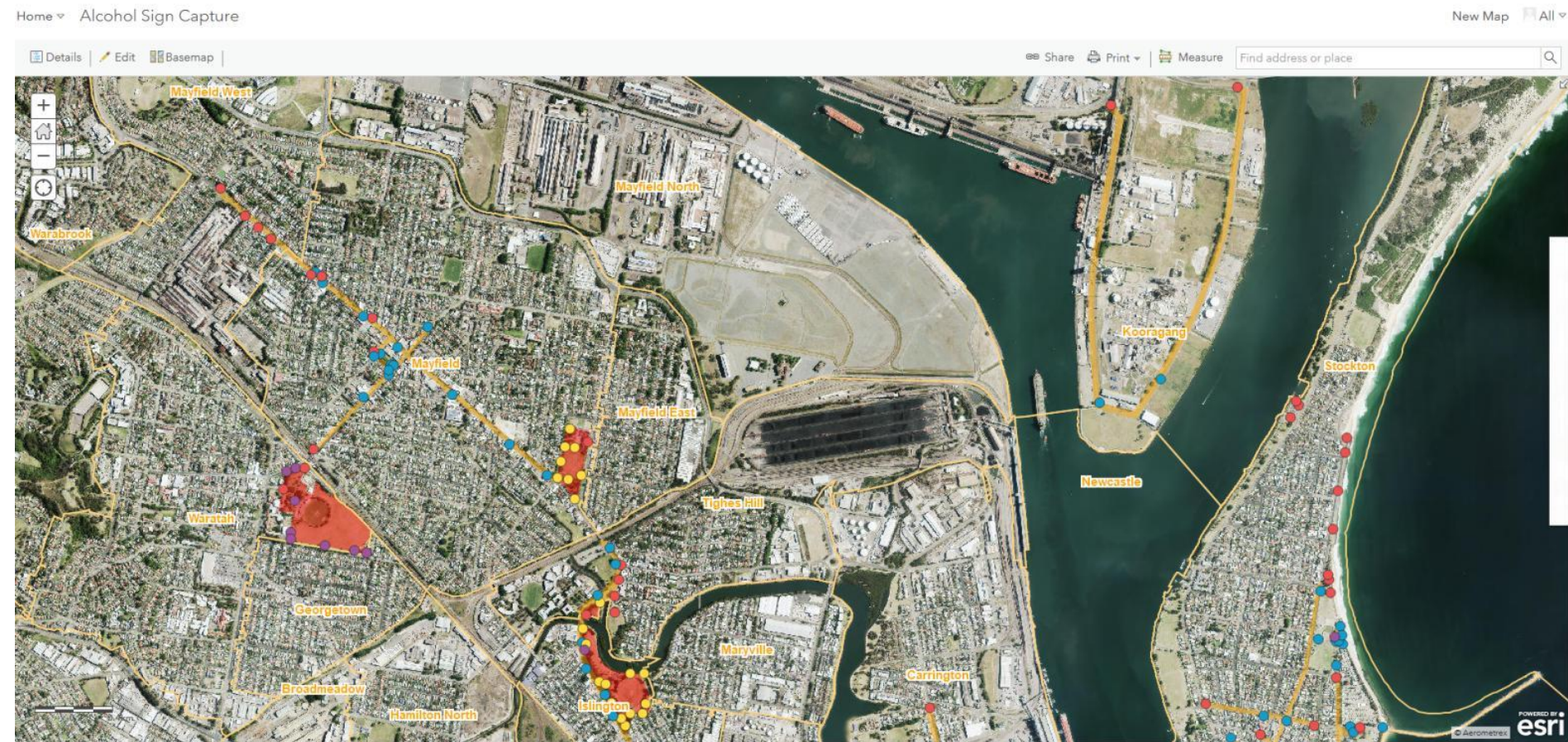


ESRI GIS Mapped Area for the North Western Sector of CN Source: Extract from ARC GIS Collector App

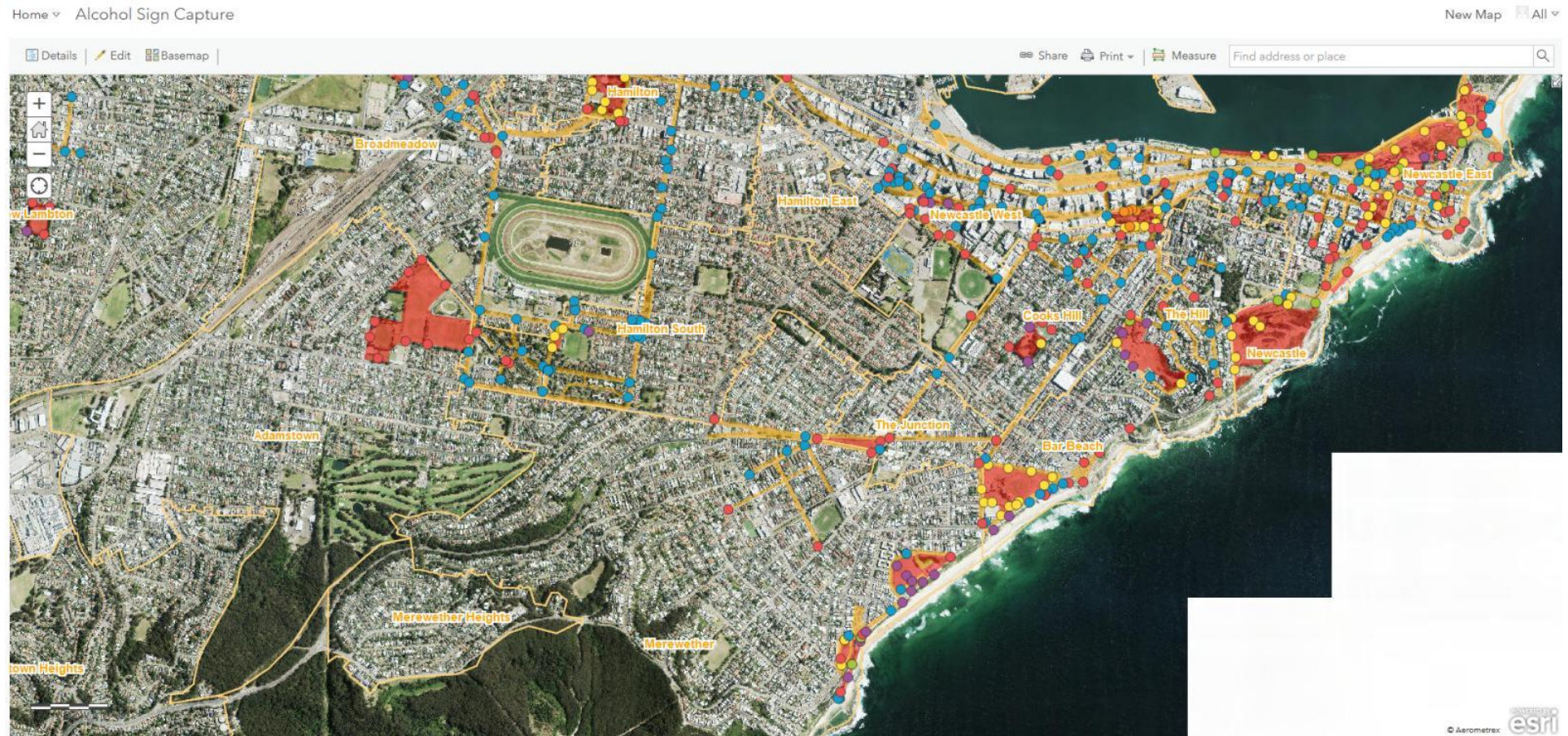
Newcastle LGA, South West Sector



Newcastle LGA, North East Sector



Newcastle LGA, South East Sector



ESRI GIS Mapped Area for the North Western Sector of CN Source: Extract from ARC GIS Collector App

The following specific observations are made regarding the existing Alcohol Prohibited Areas within CN:

Beaches

- Every beach in Newcastle has signage prohibiting the consumption of alcohol but beaches are generally **not** mapped as Alcohol Prohibited Areas.

The following beaches and baths had untimed ‘no alcohol’ signage erected, and which are not currently mapped as Alcohol Prohibited Areas:

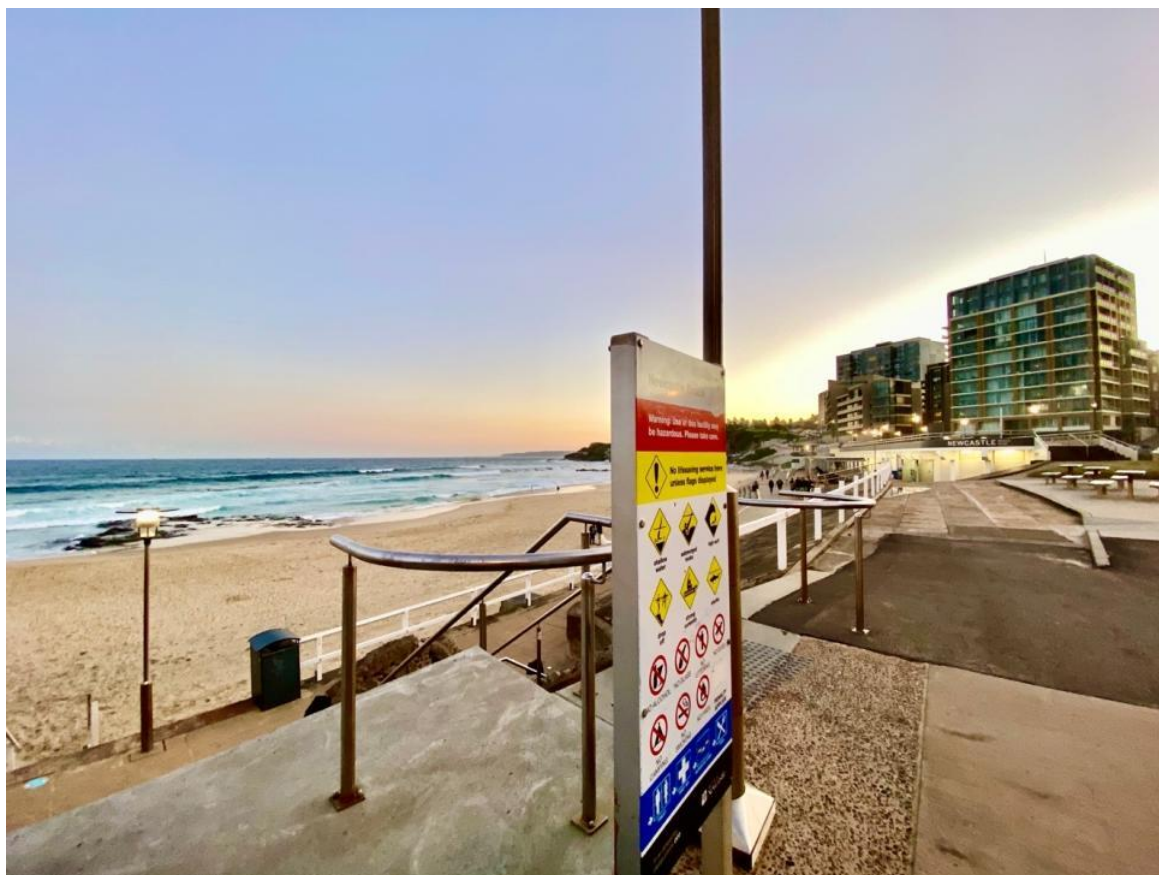
- Nobbys Beach, Newcastle East
 - Newcastle Ocean Baths
 - Newcastle Beach (the exception being the skatepark underdevelopment at the southern end of Newcastle Beach)
 - Bar Beach
 - Dixon Park Beach, Merewether
 - Merewether Ocean Baths, Newcastle East
- The notable exceptions to the above standard are:
 - Horseshoe Bay Beach, Newcastle East, on the Hunter River, adjacent to Nobbys Beach and carparking area, which appears to have no alcohol regulation.
 - Newcastle Ocean Baths Parking area is a mapped AFZ but the Baths themselves are unmapped.
 - Skate Park under development at Southern end of Newcastle Beach, which is a mapped APA area but with no current signage evident.
 - Merewether Beach, which foreshore area and SLSC is mapped as an APA and which Beach itself is also sign posted as a ‘no alcohol’ area.



Bar Beach Foreshore Source: All About Planning Pty Ltd



View from Memorial Walk Bridge, looking to Bar Beach and Mereweather Beach Source: All About Planning Pty Ltd



Newcastle Beach 'no alcohol' foreshore signage Source: All About Planning Pty Ltd

Sports fields

During the on the ground review by AAP the following specific observations were made regarding Sports fields and mapped Alcohol Prohibited Areas within CN:

- There are 12 sports fields currently mapped as APA's within CN, being:
 - Adamstown Oval, Adamstown
 - Darling Street Oval, Hamilton South
 - Elernmore Vale Park, Elernmore Vale
 - Empire Park, Bar Beach (timed APA)
 - Federal Park, Wallsend (timed APA)
 - Grange Avenue Reserve, Maryland
 - Heaton Park, Jesmond
 - Islington Park, Islington (mostly mapped)
 - Lambton Park, Lambton (including an aquatic centre)
 - Regent Park, New Lambton
 - Wallsend Park, Wallsend
 - Wanderers Oval, Broadmeadow



Netball Courts fronting Union Street, Newcastle West – this sports area is currently unmapped and has no alcohol regulated signage. Source: All About Planning Pty Ltd, 2021

- At Lambton Park the adopted ARA signage controls are inconsistent, as both timed and untimed controls are referenced.
- Adamstown Oval, whilst being a large mapped APA, conversely has no signage to indicate any alcohol prohibition.
- Wallsend Park at Wallsend has inconsistent signage, including both timed and untimed controls.
- Grange Avenue Reserve, Maryland has inconsistent signage, being both timed and untimed controls.
- It is considered that a standard approach to all sports fields would be helpful within CN for sake of clarity and consistency of message.
- The option of mapping all sportsfields as APA's was discussed with Newcastle Police. Given that CN sportsfields are already regulated through separate processes the Police did not feel it necessary to extend the APA network to all sportsfields. As such only those existing mapped sportsfields that fall within an identified alcohol related crime hotspot will be retained as a mapped APA.
- As there is also a clearly documented link between sports fields, alcohol consumption and alcohol related violence it is recommended that all sports fields within CN be mapped as APA's.

Under the above recommended approach, only the following five (5) existing mapped CN sportsgrounds are recommended to be retained as mapped APA's, given the latest available relevant BOCSAR hotspot mapping:

- Adamstown Oval, Adamstown – APA to be retained, as part of the sportsfield is a mapped medium and low hotspot for both assault (non-domestic) and the whole sports field is mapped as ranging from a low to high hotspot for malicious damage
- Darling Street Oval, Hamilton South – a mapped high hotspot for both assault (non-domestic) and malicious damage
- Wallsend Park, Wallsend – the northern part of this park is mapped as a high hotspot for both assault (non-domestic) and malicious damage. This northern section of the park includes a skatepark and which consistent with this report's recommendation, is proposed to be separately mapped as a 24/7 APA
- Heaton Park, Jesmond – is a mapped high rate hotspot for both assault (non-domestic) and malicious damage
- Islington Park, Islington (mostly mapped) – this sportsfield is a medium and low mapped hotspot for assault (non-domestic) and a medium and high hotspot for malicious damage

The following sportsfields are currently mapped as APA's but are proposed to be removed as mapped APA's:

- Empire Park, Bar Beach (a timed APA) – currently not mapped as an assault (non-domestic) area and with a low to medium hotspot over the northern part of the site for malicious damage. The skatepark within Empire Park will be separately retained as a mapped APA
- Elernmore Vale Park, Elernmore Vale – a mapped medium to low hotspot for malicious damage and a low hotspot for assault (non-domestic)
- Federal Park, Wallsend (timed APA) – the southern part of this park is mapped as a low incidence of assault (non-domestic) and a medium and low hotspot for malicious damage

- Grange Avenue Reserve, Maryland – only a small section of this reserve is a low mapped hotspot for assault (non-domestic). The reserve adjoins a tavern and contains a skatepark. The skatepark area will be separately retained as a mapped 24/7 APA
- Lambton Park, Lambton (including an aquatic centre) – the northern part is a mapped low hotspot for malicious damage
- Regent Park, New Lambton – is not a mapped assault (non-domestic) hotspot and with a low malicious damage hotspot
- Wanderers Oval, Broadmeadow – is not a mapped hotspot for assault (non-domestic) and the south eastern section is mapped as a medium and low hotspot for malicious damage

Skateparks

Skateparks are regularly frequented by children and young adults and as such CN has typically sought to preserve an alcohol free environment around these areas.

- Most CN skateparks are currently included within a broader mapped APA associated with an existing park or reserve.
- Only two skateparks, being at Stockton and Newcastle Beach (South), were observed as being mapped as standalone APAs. Whilst mapped as an APA, the Stockton Skatepark has no signage to identify it on the ground as an APA.

It is recommended that CN's skate park areas continue to be mapped as ARA's due to issues with broken glass and the incompatibility of alcohol consumption and the presence of young children.

A number of existing APA mapped sportsfields contain skateparks as detailed in the section immediately above and these are proposed to be mapped as 24/7 APAs.

Public Housing Areas

AAP has observed there is a tendency for alcohol regulated signage controls to be adopted within and immediately adjacent to public housing areas. The prevalence of alcohol related violence in these areas of Newcastle is considered in the Literature Review and Statistical Analysis section of this Review, refer Appendix I.

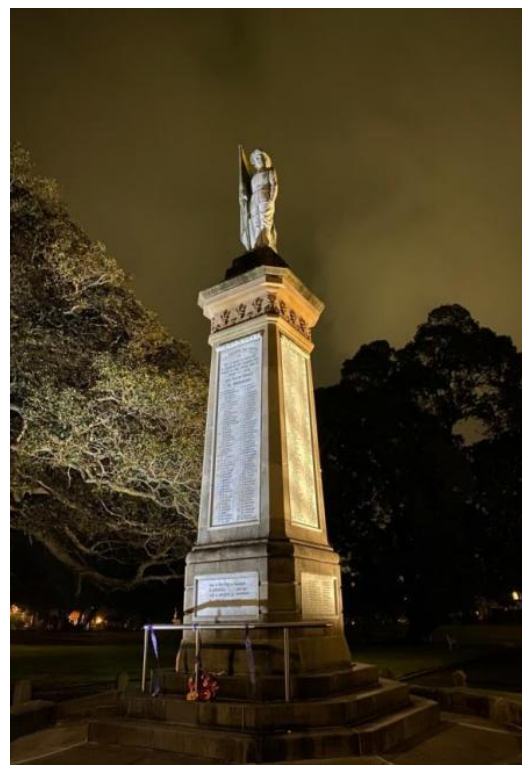
It is considered that consultation with the key public housing providers in CN will be beneficial in considering whether the number of alcohol regulated areas within public housing estates should be reduced or signage removed altogether in some instances.

It is anticipated that the signage in public housing areas may also be welcome by some existing residents who see the zones as enabling intervention and enforcement of the prohibition by Police if any situations arise.

Parks and Other Recreation Reserve Areas

During the audit the following specific observations were made regarding Parks and other more informally utilised recreation spaces and pathways within CN:

- The majority of CN's foreshore parks and reserves are mapped as APA's, however there are some notable exceptions, including:
 - Bar Beach Reserve (southern area), Bar Beach - adjacent to the existing mapped AFZ carpark which is and which includes part of the Yuelarbah Track
 - The now disused elevated area at the north eastern edge of King George Park, fronting Reserve Road and which is unmapped. On enquiry AAP is advised that this area is now owned by a Local Aboriginal Land Council. This area is immediately adjacent to and contiguous with the mapped APA applying to King George Park, Newcastle
 - Stockton's Foreshore Reserves – none of which are currently mapped as APA's
 - The elevated Memorial Walk, extending from Strezleki Reserve, The Hill



Centennial Park, Cooks Hill – a mapped APA and Gregson Park, Hamilton – a mapped APA

Source: All About Planning Pty Ltd



View of Hunter River & Newcastle East from Stockton's Foreshore Reserve – not currently a mapped APA

Source: All About Planning Pty Ltd



Civic Park, Newcastle CBD, fronting King, Laman and Darby Streets – a mapped APA
Source: All About Planning Pty Ltd



APA mapped Nesca Park, fronting Greenslope Street, Nesca Parade and Brooks Street, the Hill.



Early morning on the Hunter River. View from the Foreshore Park, Newcastle – a mapped APA

Source: All About Planning Pty Ltd



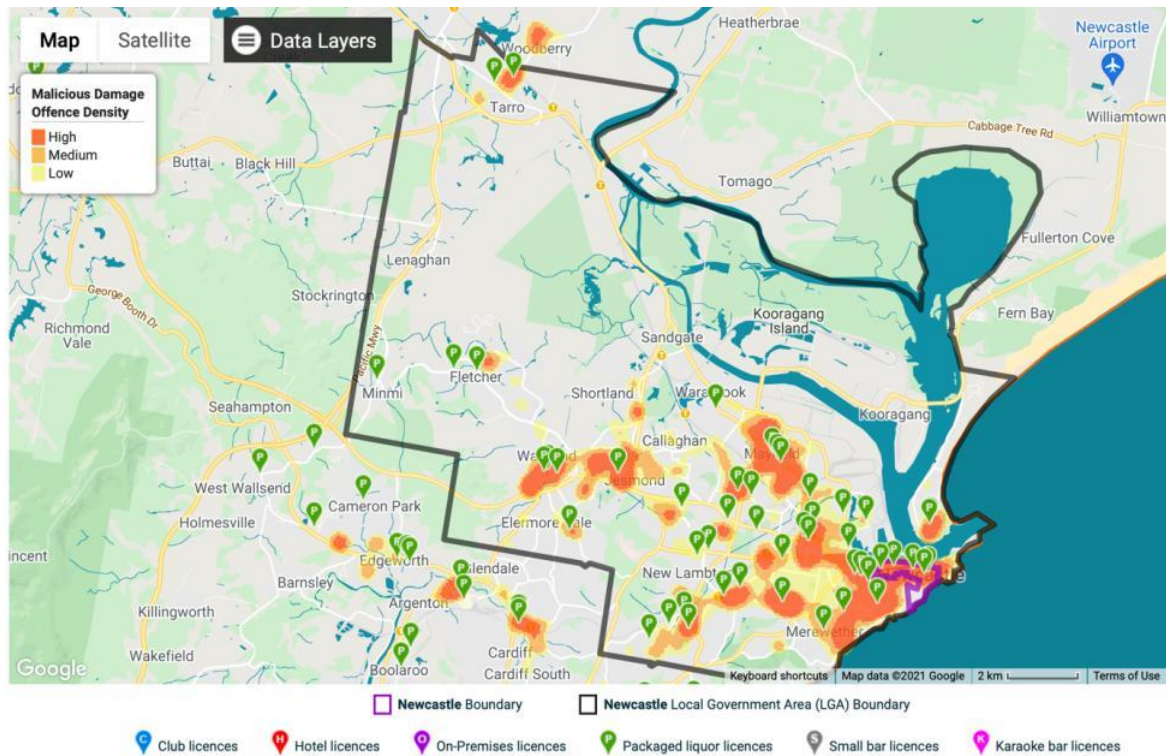
Density of AFZs and APAs in Newcastle East



Yuelarbah Track Memorial Walk and Signage, the lower level 'no alcohol' signage is defaced and structurally unsound. This walkway is not in a mapped APA or AFZ Source: All About Planning Pty Ltd

Bottle shops

The density of Bottle shops in an area is a factor in the number of alcohol related incidents recorded in that area, particularly assaults (non-domestic) and malicious damage. See map extract below.



Map of bottle shops within CN, overlaid with Malicious Damage Offence Hotspots.

Source: Livedata Accessed 16/07/21



Diggers Bottleshop, Hamilton South Source: All About Planning Pty Ltd

Nightclubs and other Licenced Premises

The density of Nightclubs and other Licenced Premises, especially larger Hotels in an area, is likewise a proven factor in the number of alcohol related incidents recorded in an area. Consequently, adoption of precinct based alcohol zone prohibitions that reflect the location of these significant land uses is recommended.

Public Transport

CN has a tram service operating in the City extending from Newcastle East to Stewart Avenue, where the regular train network terminates. This tram service has a number of stops along the length of Hunter Street. The tram service immediately adjoins some existing mapped APA's.

Hunter Street is a mapped AFZ and is recommended to be retained as such as part of a larger AFZ precinct.



Hunter Tram Service Source: All About Planning Pty Ltd

The regular train network servicing CN and which connects to the Sydney City Rail network, has stops at:

- Newcastle Interchange, Wickham (unmapped)
- Hamilton (alcohol free zone)
- Broadmeadow (alcohol free zone)
- Adamstown
- Kotara (unmapped)
- Hexham (unmapped)

Every train station currently has alcohol free signage erected around the key entry and exit points to these stations and most stations are also mapped as Alcohol Free Zones. It is recommended that AFZs around train stations be retained, in the instance of Hamilton and Newcastle West as part of a larger precinct based approach.



Marketown Bus Stop in Steel Street, Newcastle Source: All About Planning Pty Ltd

A bus service is additionally available within CN. One central city hub for buses within the Newcastle CBD is the Marketown bus stop fronting Steel Street. Steel Street is currently mapped as an Alcohol Free Zone but is missing signage at either end to indicate the mapped zone. The bus stop itself is however specifically signposted as an Alcohol Free Zone. It is understood that this signage reflects historic incidences of drunkenness and verbal abuse by intoxicated persons towards people who are waiting for or catching a bus from this stop. Key transport hubs are recommended to be retained as AFZ and APA areas.

4.2 Street Signage Considerations

Approaches to signage for Alcohol Regulated Areas is variable amongst NSW Councils. Following are some key signage considerations based on a literature review and site observations.

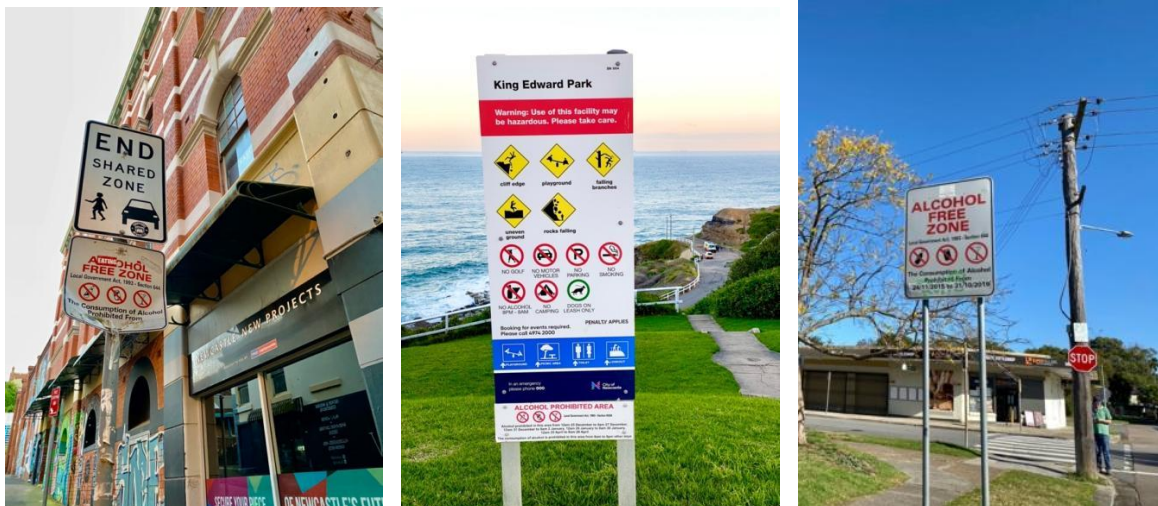
Key Signage Considerations

- As AFZ and APA signage has to be renewed every 4 years some signage types are not likely to be able to be used to the cost of replacements and updates. Free-standing electronic signs could however be used.
- Putting one or more sign up in every street is expensive and multiple signs are likely to be ignored – due to over-familiarity.

- Multiple signs with slightly differing requirements and prohibitions is poor public policy, creating uncertainty in the minds of the public and increasing complexity of enforcement.
- There is no public interest case in favour of people consuming alcohol in public places. The literature review finds that the main public interest concern is that these zones are not used to discriminate against social housing residents.
- Other cities signal main (in some cases all) entry points to zones with large signs. For E.g. London's Congestion Zone and Los Angeles Tsunami Zone
- The difficulty with using the word Zone is that in this case it seems to exclude APAs. Perhaps use of the word precinct would be better.
- Areas with many streets that are currently and should remain alcohol-free, would benefit from a zone or precinct approach, viz. large signs at key entry points.
- There needs to be a coastal/beaches zone established separately due to the many safety rules and considerations which apply to beaches and waterways.
- Provision has to be made for picnicking and to this end the current standard prohibition on consuming alcohol after 8pm and prior to 8am is recommended and which has been supported by Newcastle Police. It is agreed that the additional nomination of key public holidays in some key urban places is too confusing and so key holiday specific prohibitions are proposed to be removed.
- Areas with clusters of streets and open spaces currently designated AFZ and APA could be dealt with as one large precinct. Other AFZs and APAs could be dealt with as currently with entry and exit signs.
- All signs should be durable, identical in terms of design, size and wording so the area is either alcohol-free or it is not. This would make public education as well as enforcement easier.
- Signage should not require a high level of literacy to understand them. Use of maps should be considered for precinct based signage at key points.
- The amended legislation requires only that adequate signs must be erected by CN which make clear any time restrictions, and make clear that the consumption of alcohol is prohibited in that public place (Refer Section 632A(7) of the Local Government Act 1993).
- If CN re-signs an area it should seek to distinguish between the prohibition of alcohol consumption (now under Section 632A of the Act) and the prohibition of other activities (which remain under Section 632 of the Act).

- Footpath positioned signage may be a good option to indicate key entrance points to ARA's within CN however it may get worn away fairly quickly if not made of durable materials. Additional advice may be required to confirm the best options for durable high wear footpath signage.
- In CN's urban areas, pole based signage would be more obvious if it could be bigger and then overall significantly less would be required in number. Pole based signs could primarily indicate the key entrance and exit points to an alcohol regulated precinct together with other key precinct locations.
- For the coastal beach areas of CN, the current composite signage in use is considered appropriate, but with any audit identified damaged signs being repaired.

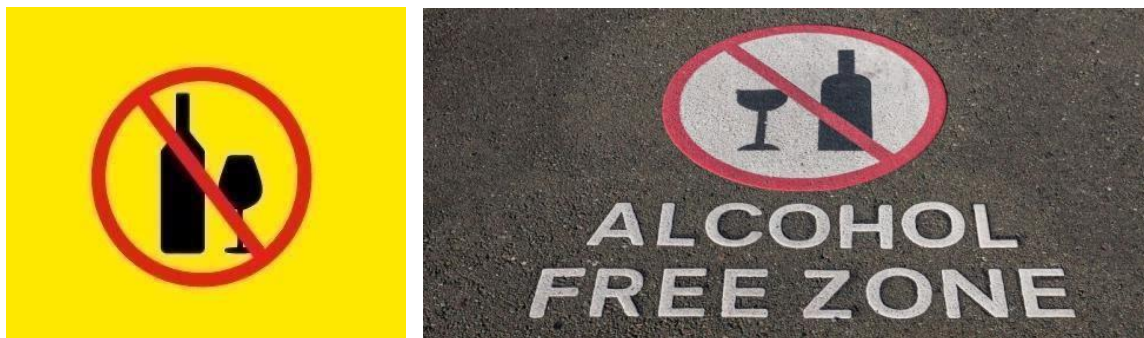
The following are examples of current alcohol regulated signage used by CN.



From Left to Right: Existing damaged/defaced signage in Newcastle CBD. King Edward Park. South Hamilton Larger AFZ Sign Source: All About Planning Pty Ltd

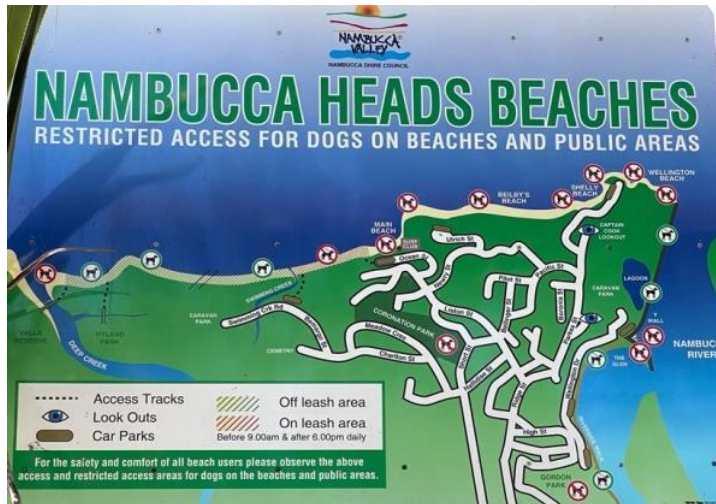
No Alcohol and Alcohol Prohibited Area signage

Following are examples of other signage used by NSW local government to indicate adopted alcohol regulated area controls.



Left to Right: City of Sydney 'No Alcohol' Signage. Northern Beaches Alcohol Free Zone Footpath Signage

Following is an example of a sign map indicating restricted access, in this instance for dogs on beaches imposed by Nambucca Shire Council. A similar mapped sign could be developed for key CN ARA precincts.



Source: All About Planning Pty Ltd

The following AFZ sign is the minimum sign standard indicated in the Ministerial Guidelines for AFZ's.

ALCOHOL-FREE ZONE



The consumption of alcohol is prohibited

From —/—/—

To —/—/—

**Non-compliance may result in immediate
seizure and disposal of alcohol**

Ministerial Guidelines on Alcohol Free Zones 2009, Minimum Sign Standard

5.0 LITERATURE REVIEW & STATISTICAL ANALYSIS OVERVIEW

Literature review

The literature review and statistical analysis, attached at Appendix I, address the principal reasons for which AFZs and APAs are used by councils in NSW, and the risks and benefits to the public domain associated with these areas. The review notes that limits on the consumption of alcohol in public places are primarily justified as public health initiatives intended to improve the ambience of public places and to ensure that they are safe and anti-social behaviour is minimised.

Because these measures are applied to public places (streets and parks), they affect a diversity of potential drinkers which the literature identifies as including persistent street drinkers, teenagers, picnickers, sports spectators, night clubbers and participants in the night time economy. These potential groups occupy public spaces at different times of day and for different purposes. AFZs and APAs may prohibit consumption of alcohol on the street or in a park either all day or at certain times of day.

These prohibitions do not prevent intoxication on the street. This is because people may become intoxicated elsewhere. Hotspots for intoxicated behaviour on the street to which the police are called are associated with other factors. (see Appendix I Section 7).

Regulation of AFZs and APAs prohibits these rules being used to discriminate against marginalised groups of people, for example homeless persons and residents of public housing. A review of alcohol-related crime in CN at Appendix I does not support the proposition that public housing is a particular source of alcohol-related crime (see Appendix I Section 6).

Crime statistics

A detailed analysis of crimes known to be associated with intoxication is provided in Appendix I. The analysis relies on data prepared by the NSW Bureau of Crime Statistics and Research (BOCSAR). This data has been subject to rigorous analysis by the Bureau and is regarded as reliable and valid. Key elements of quality control for these data are set out in the introduction to Appendix I, Section 5.

The analysis in Appendix I details the rates of crimes associated with alcohol consumption on a comparative basis for Newcastle suburb, CN, NSW, and four other CBDs in NSW, namely Gosford, Parramatta, Penrith and Wollongong suburbs.

The principle crime of concern is non-domestic assault. This crime is widely used as a broad indicator of alcohol-related violence that takes place outside places of residence. In Newcastle suburb in the twelve months to June 2021, only 7% of non-domestic assault reported to the police had occurred on residential premises.

The data provided at Appendix I shows that while the rates have fluctuated over this five year period and may appear to have fallen in some suburbs, none of the apparent declines are statistically significant. The Bureau describes apparent change which is not statistically significant as ‘stable’.

Since 2016 non-domestic assault rates in Newcastle suburb and four other city centre suburbs greatly exceeded the rates for NSW as a whole as well as CN LGA. In the case of Newcastle suburb, the non-domestic assault rate in the 12 months to June 2021 was seven times greater than the rate for NSW as a whole, and four times greater than the rate for CN as a whole (Table A1.1).

Non-domestic assault rates on weekend nights have declined in Newcastle suburb since 2016 (by 8.1%) but remain eleven times higher than the rate for NSW as a whole and five times higher than the rate for CN as a whole. (Table A1.2)

Malicious damage to property is also a crime associated with alcohol use. Analysis of data for the same areas over the past five years shows more encouraging trends, specifically a reduction in Newcastle suburb of 10.1% (Table A1.3). However, these rates were still, in the most recent twelve months more than four times higher than for NSW as a whole and more than 2 ½ times greater than for CN as a whole. A similar picture is obtained for disorderly conduct. (Table A1.4)

6.0 STAKEHOLDER ENGAGEMENT

A Stakeholder Engagement Plan and a Consultation Brief have been prepared as part of the Stage I ARA Review. The Stakeholder Consultation Plan and Consultation Brief are included as Appendix 2 of this report.

It is relevant to note that to inform this Review of Alcohol Regulated Areas, consultation is legally required with the following authorities:

Required Stakeholders:

- The Newcastle Police Local Area Commander
- Liquor Licensees and Secretaries of registered clubs and other licensed premises adjoining or adjacent to any proposed zone
- Local Aboriginal Interest Group/ Land Councils within CN (these being the “known organisations representing or able to speak on behalf of an identifiable Aboriginal or culturally and linguistically diverse group with the local area”)
- Housing Services – Hunter Team, Department of Communities and Justice
- NSW Anti-Discrimination Board (CN is listed in Appendix 2 of the Guidelines) – Will be consulted at the close of the formal public exhibition period

Other key stakeholders identified by the ARA Review Project Team:

- Local Community Housing Providers – Compass Housing
- Cooks Hill Resident Group Representative
- Council Internal Staff, being:
 - Chief Ranger, CN
 - Outdoor Trading Officer, CN
 - Senior Business Support Officer, CN
 - Special Events Team, CN
 - Social Planner, CN
 - Parks and Recreation Team, CN

Consultation will occur as a key component of Stage 2 of the ARA Review.

7.0 CONCLUSION

A thorough audit of the CN ARA signage network has been completed. Literature and crime statistics have also informed the proposed updated ARA network for CN and care has been taken to ensure that the application of recommended AFZs and APAs is not discriminatory.

It has been established that CN has a high number of alcohol related crime incidents each year compared with the NSW average occurring within public spaces and streets. The data shows that while alcohol related crime rates for CN have fluctuated over the last five year period and may appear to have fallen in some suburbs, none of the apparent declines are statistically significant. There is a sustained high level of incidents occurring that pose a public safety and amenity concern. The statistics therefore point to the need for retention of ARA's as a tool used as part of a broader strategy to manage alcohol related crime and anti-social behaviour in the CN.

It is considered likely there are opportunities nonetheless to reduce and streamline some existing mapped ARA's and associated ARA signage within the CN and which is considered a positive alternative to simply maintaining or expanding the existing ARA network.

Alcohol regulated areas are an early intervention tool to address anti-social behaviour that aims to reduce the threat of alcohol related violence in CN, and are utilised in many NSW communities. Alcohol regulated areas on their own however are not likely to produce adequate results in curbing alcohol related violence and anti-social behaviour within the CN.

NSW Police have primary responsibility for enforcement of AFZs and APA's, and have consistently supported the use of ARA's within the CN, as have key public housing representatives. A sustained strong and effective relationship with local police and other key stakeholders is required moving forward, together with ongoing regular review of the performance of alcohol regulated areas and perceptions of public safety within CN.

ARA's allow for a direct partnership with NSW Police and CN and complement liquor accords, liquor licencing and CN's development assessment work of new food and drink premises.

ARA's also promote healthy lifestyle choices, when used with other health and wellbeing initiatives.

Whilst a direct link to reduced alcohol related crime is not evident in mapped ARA's, ARA's provide social and community safety benefits, and are a key tool used by CN Police. As such they are considered to be of value when used as part of a broader strategy to address irresponsible alcohol consumption in public spaces.

APPENDIX I: LITERATURE REVIEW & STATISTICAL ANALYSIS

A review of the literature on AFZs, APAs and street drinking more generally, has identified a number of considerations about the use of these regulatory instruments, including their purpose and effectiveness. It appears that management of the consumption of alcohol in public places derives from a number of public health concerns but established knowledge about these is not always consistently applied.

AI.1 The Public Health Context

Alcohol is a carcinogen (Pettigrew et al. 2021) with notable adverse health risks affecting consumers, public agencies such as health service providers and society as a whole. The NSW Government notes in a HealthStats commentary that ‘excessive alcohol consumption is the leading contributor to the burden of illness and deaths in Australia for people aged up to 44 years’. Lachenmeier and Rehm (2015) note that alcohol is the most toxic of all legal and illicit drugs causing harm to users and others. Other authors point out that consumption of alcohol is a significant contributing factor to road deaths and serious injuries (Hoe et al 2020), depression and suicides (Chong et al 2020, Hill et al 2020), drownings - particularly of young men (Hamilton et al 2018), domestic violence and homicides (Miller et al 2016), Fetal Alcohol Spectrum Disorder (FASD) – the most common cause of permanent child developmental disabilities (Elliott 2020) and, a range of cancers (Cancer Council 2021).

The National Health and Medical Research Council, have reduced recommended safe levels of consumption (NHMRC 2020). Current advice by the World Health Organisation (WHO) is that there is no safe level. Nonetheless alcohol is a legal drug.

The application of these findings to public policy has been inconsistent, particularly those public policies with which it appears to be in direct conflict, such as policies promoting the night time economy. For example, the City of Sydney has been pursuing a night time economy strategy since 2011 but has had to contend with significant alcohol-related events in public places, including:

- Street assaults, glassings and one-punch deaths
- Urinating and vomiting in public places
- Noise and other anti-social behaviours in public places, and
- Broken glass and other alcohol-related litter.

The average alcohol related assault that occurred in Sydney’s Central Business District (CBD) and Kings Cross was estimated to have cost the victim and society around a total of \$85,000 in 2018 dollar value. (Deeming and Kypri 2021). The impact of these adverse events is serious, and resulting in pressure on local police, ambulance services and emergency departments in hospitals as well as repeated aggravation for local residents. In 2021, Liquor & Gaming NSW (L&GNSW 2021) has declared that most of the City of Sydney is

so saturated with licensed premises that a rebuttable presumption against approval exists for most liquor licence applications in four precincts in the City. To date that approach has not been applied to any other CBD.

The public health context also includes longstanding concerns about the relationship between street drinking, poverty and homelessness; street drinking by, and intoxication of, young people including minors; and drinking in public places in which intoxication carries additional risks. Examples of these concerns can be found in

- some decisions of the NSW Land and Environment Court (NSW LEC) regarding the location of hotels on major highways
- Council decisions not to permit alcohol to be consumed at riversides or on beaches due to risk of drowning while intoxicated (Diplock & Jamrozik 2006)
- Decisions to restrict licensed premises in the vicinity of education campuses (Goldstein 2007)
- L&GNSW's requirement to identify any schools, childcare centres and other establishments catering to minors or other people vulnerable to alcohol-related violence, located "near" a premises which is the subject of liquor licence application (L&GNSW CIS A & B).

AI.2 Requirements on Councils

The motivation for AFZs and APAs appears grounded in these concerns, but this is not clearly expressed in the Local Government Act or subsequent documents prepared by the Department which describe the requirements councils must observe (OLG 2010, DLG 2009). These documents leave the nomination of AFZs and APAs, including their geography, and the times, days or events to which they apply, largely to council discretion, although some parameters apply, namely:

1. A council must consult local residents and workers, licensees, the police and Aboriginal and or ethnic groups in the area about a proposed AFZ and/or APA. (Local Government Act s 632 and 644A)
2. Newcastle City Council is one of sixteen councils required to notify the NSW Anti-Discrimination Board about a proposal to establish AFZs. (DLG 2009 p17)
3. Generally AFZs are expected to be adjacent to licensed premises. (DLG 2009 p7)
4. 'When a council issues a licence for the use of public footpaths for ... dining use in an alcohol-free zone, it must impose conditions on the licensee (e.g. restaurant operator) about the requirements of the zone, including clear delineation and control of the licensed area from the alcohol-free zone.' (DLG p8)
5. An AFZ and an APA may be established for a maximum of 4 years, even if it applies only to an annual event. (DLG p8, OLG 2101)
6. Where a council proposes to establish an APA in public housing open space, it must first obtain permission from NSW Land and Housing Corporation and the Commissioner of Police, or in the case of an area adjacent to public housing, from the Area Office of Housing NSW. More generally an APA cannot be established without the approval of the Local Area Commander (OLG 2010).

7. Councils are also advised that ‘It is not appropriate to consider an alcohol-free zone for reasons that are unrelated to the irresponsible behaviour of drinkers, for example, the congregation of drinkers where irresponsible behaviour does not occur, general conduciveness to business or tourist activities or the personal beliefs of particular citizens’ (DLG 2010 p7).

AI.3 Aims and Concerns

The aims and objectives of establishing AFZs and APAs are noticeably absent in the departmental documents and the Local Government Act. The aim might seem to be to prevent irresponsible alcohol consumption, but this is only mentioned briefly and their use for this purpose is qualified.

‘Alcohol-free zones are most effective if they are part of a larger program directed at irresponsible alcohol consumption in which the local community is actively involved. Used in isolation they may only move the problem from one place to another’. (DLG 2009 p5)

Despite the advice of the NHMRC, it is unclear in these documents what constitutes irresponsible alcohol consumption, and AFZs and APAs seem to be focused not so much on the health and wellbeing of drinkers as on the discomfort of people who encounter behaviours associated heavy intoxication. As noted above, these behaviours range from noise, urinating and vomiting to assault.

The departmental circulars do not define the range of behaviours that might be considered irresponsible, nor the public health impacts of intoxication. They do not differentiate between ‘irresponsible alcohol consumption’ in public places that might be defined as unpleasant and those which are dangerous either to the drinker or to others. Rather, they are concerned with ensuring that these place-related designations are not misused so as to discriminate against an ethnic or socially vulnerable group, or inappropriately favour some business interests. These concerns and dilemmas are borne out in the literature.

Drinking or being drunk?

Street drinking is often viewed as inappropriate behaviour. However, this view seems to be applied when such drinking is accompanied by other signals such as overt intoxication or membership of a group perceived to be threatening established norms of behaviour in public places typically alcoholics, homeless people and teenagers (Dixon, Levine & McAuley 2006). Because some groups drink on the street while others drink elsewhere before going on the street, regulation of street drinking has been criticised for discriminating on the basis of social class,

‘Being drunk and rich was not seen as a problem, but being drunk and poor most certainly was’ (Plant, 2008, p.156).

while failing to address sectional interests favouring gentrification (Pennay, Manton & Savic 2014).

Generally there is a concern in the literature that street drinking laws result in disadvantaged groups becoming more marginalised.

Who drinks on the street and in open spaces

Much of the literature on street drinking focuses on the reasons why some groups and individuals resort to drinking on the street as well as their perceptions of risk and safety. There is also a focus on disadvantaged people drinking in public places.

Persistent street drinkers

A study of persistent street drinkers in Scotland noted that these drinkers were not necessarily homeless, preferred street drinking to licensed premises because of cost, enjoyed social aspects of street drinking, and half of the group said they did not do all their drinking on the street (Ross et al 2004). There was limited awareness among the drinkers of support services. Studies point to the risks faced by persistent street drinkers including threatening behaviours and assault as well as significant damage to their health. (Fitzpatrick & Johnsen 2009). Persistent street drinking is associated with ‘deep social exclusion’ which frequently involves homelessness, substance abuse, institutional care, previous trauma, and vulnerability due to Indigenous, migrant or refugee status (Fitzpatrick, Johnsen & White 2011).

Female street drinkers

While persistent street drinkers are predominantly male, Ross et al. report that female street drinkers tended to be ‘younger and particularly vulnerable.’ A UK study noted that women might resort to street drinking in order to avoid abuse at home, because they felt safer in outdoor group situations and because their mental health issues were untreated (Tyler, Moss & Cox 2019). However, women who drink on the street are not necessarily single, and may be vulnerable to violence, including from their partners (Yang, Wong & Coid 2013).

Teenagers

Drinking in public spaces is an inexpensive means of socialising, providing access to group membership especially for minors and particularly where there is a lack of alternative recreational activities (Lloyd, Tafuya & Merritt 2015). Indeed ‘hanging out’ can be valued for its lack of social restriction and the freedoms that mobility in public spaces allows (Wilkinson 2015). At the same time some young people appreciate that regulation is necessary for their safety (Gray and Manning 2014). Street drinking may also be for the purpose of pre-loading or post-loading with cheaper alcohol before or after attending licensed establishments. (Wells, Graham & Purcell 2009). These cost saving strategies are also associated with alcohol-related litter. A study of youth drinking in Zurich observed that when young drinkers’ encounter with police and social workers takes place on the street outside a nightclub, ‘they perceive that the location itself (in front of clubs) being in a nightlife area, causes the controls’ rendering them acceptable, whereas similar encounters with the police in more secluded public spaces are seen as picking on young people (Demant & Landolt 2014 p179).

Picnickers

Generally the literature, does not identify picnickers, as a category of drinkers in open spaces except in relation to specific risks such as sea and river bathing (Peden, Franklin & Geggatm 2018; Diplock & Jamrozik 2006). However, young people’s parties in the bush and on the beach are identified as opportunities for ‘hanging out’ out of sight of adult supervision (Kraack & Kenway 2002).

Sports spectators

Drinking at sports events has been of concern to licensing authorities as well as sports clubs and local communities for many years. For example in 2019, ILGA imposed the following conditions on a Dan Murphy's at Woollooware, NSW in order to reduce pre- and post-loading among persons attending sports events at the Southern Cross Group Stadium:

8. The licensed premises must not trade during the period between two (2) hours before a first grade NRL game commences at the Southern Cross Group Stadium (located at 461 Captain Cook Drive, Woollooware) until two (2) hours after the game finishes.
9. The licensed premises must cease trading two (2) hours before the gates open on any “fight night” held at the Southern Cross Group Stadium (located at 461 Captain Cook Drive, Woollooware). (ILGA 2019 p2)

Concerns about the relationship between sporting events and intoxication is widespread. A study measuring alcohol intoxication at Swedish football matches found that about half of all spectators drink alcohol while at a match and ‘approximately one tenth have a high level of alcohol intoxication’ (Durbeej et al. 2017). In the UK stringent measures to prevent intoxication at sporting events were introduced via the *Sporting Events (Control of Alcohol etc.) Act* (UK) in 1985. These measures were subsequently augmented by the *Football (Disorder) Act 2000* (UK) and the *Sports Ground Safety Authority Act 2011* (UK). Introduction of these extensive controls is reported as coinciding with a reduction in the number of people arrested at domestic football events. However it is not clear whether the decline in levels of crowd disorder has been due to the regulations imposed or other socio-economic factors such as improvements in the economic climate of the UK in the early 2000s, increased ticket prices and improvements in stadium infrastructure (Veuthey & Freeburn 2015).

These authors also note that hooliganism or crowd disorder in Australia is not confined to football matches or clubs:

It has been experienced in sports as diverse as tennis, cricket and the domestic game, Australian rules football. Arguably, however, football has a disproportionate history of hooliganism in Australia. Association football (soccer) is only one of four codes of football played in Australia; the others being rugby league, rugby union and Australian rules football. These other codes are more popular than football — Australian rules football and rugby league substantially so. Yet none of these codes have any tradition of, or requirement for, measures such as the segregation of groups of supporters, a practice that has been required in relation to a number of football clubs in Australia. (Veuthey & Freeburn 2015)

The authors note that Division 5 of the Major Events Act 2009 (NSW) is not limited to sports events and ‘the obligations of event organisers are not described in detail in Australian legislation.

In Australia, intoxication at sporting events is not confined to major events but is also a concern at the community sporting club level.

Many clubs have evolved drinking cultures that promote risky patterns of alcohol consumption and nurture attitudes which make alcohol a major focus in club and member activities. Excessive drinking is commonplace in such clubs, exhibited through ritual binge drinking, performances being rewarded with alcohol, alcohol-fuelled end-of-season trips, drinking competitions and all-you-can-drink-functions (Crundall 2012).

However the 2012 study of the impact of the Good Sports program found that improvements in alcohol management by a club also improved their financial viability, membership, spectator numbers and capacity for competition. The strategies included a focus on compliance with licensing laws, 'no happy hours, cheap drink promotions, all-you-can-drink functions, drinking competitions, alcohol only awards or prizes or drink vouchers', as well as approved alcohol management policies. (Crundall 2012).

This study's findings mirror the advice that 'Alcohol-free zones are most effective if they are part of a larger program directed at irresponsible alcohol consumption...' (DLG 2009 p5)

Drinking at sporting events raises questions about the association of alcohol with sporting cultures including a potential for grooming young people into drinking cultures as well as risks associated with intoxication on or adjacent to a public place.

Night clubbers and participants in the night time economy

A quite different literature is concerned with alcohol use and misuse by people participating in the night time economy, and especially the late night economy. Typically these participants can afford to patronise licensed premises. They are not drinking on the street because they have nowhere else to go, and indeed may not be drinking 'on the street' at all, but may nonetheless be intoxicated on the street. These participants are the implicit focus of policies favouring the night time economy which invariably promotes responsible drinking and the use of alcohol as a secondary feature of diversification of night out experiences (City of Sydney n.d.). The literature about the harms these participants risk and experience is found in the public health and epidemiological literature regarding street assaults, one-punch deaths, emergency and alcohol related admissions to hospital (referred to above). This literature is concerned with intoxication on the street and its consequences. It is particularly concerned with the established and well documented relationship between density of licensed premises (Taylor et al. 2021; Scott et al. 2021; Donnelly, Menediz & Mahoney 2014; Rowland et al. 2013; Livingston 2008); trading hours (Nepal et al 2020; Holmes et al. 2018; Atkinson et al. 2018; Menendez, Tusell & Weatherburn 2015; Wilkinson, Livingston and Room 2015), price (Anderson 2021, Stockwell 2004, Chaloupka, Grossman & Saffer 2002) and alcohol-related harm.

Diverse users of alcohol in public spaces

A number of studies note that street drinking, particularly by persistent street drinkers who gather in a public space, or are living on the street, is regarded as unsavoury by local businesses and members of the community who either do not drink or who drink elsewhere. There are also reports that these drinkers are seen as potentially threatening, although the main risk of violence may be to, rather than from, these drinkers

(Fitzpatrick & Johnsen 2009). These street drinkers are different from customers of licensed establishments who may pre-or post-load on the street and cause a nuisance through inappropriate behaviours, particularly as they go in and out of venues (Demant & Landolt 2014). Their inappropriate behaviours may be the same as those observed in persistent street drinkers, and indeed their behaviour may be frequent and regular. However, these drinkers can afford to attend a licensed establishment and would not be classed as experiencing ‘deep social exclusion’. These drinkers are likely to be younger than many socially excluded street drinkers. They may have similar, though less severe, vulnerabilities.

These groups are different again from people consuming alcohol in an outdoor dining area on a street which is otherwise an AFZ. They may be intoxicated when they leave the designated area, but they can afford to eat out and are not regarded as drinking on the street. Similarly people who take bottles of wine and six packs to a picnic in an APA may not consider themselves in the same category as a persistent street drinker, notwithstanding that they engage in this activity regularly and it is prohibited. In short, misuse of alcohol is not confined to the poor and neither is unsavoury behaviour associated with alcohol.

AI.4 Using AFZs and APAs to Manager Alcohol-Related Behaviours

As researchers have noted, there is a continuing need to ‘maintain a balance between freedom and restraint, between the rights of drinkers to drink and the need to protect other users of public space from the unacceptable consequences of drinking’ (Dixon, Levine & McAuley 2006, p 202). AFZs and APAs are just one response to alcohol-related behaviours and their use raises significant equity issues. The same behaviours are interpreted differently according to who is doing them and the context in which people are drinking. Among the differentiating variables are:

- I. visibility (can we see it happening?),
- II. context (is drinking in this place socially unacceptable), and
- III. degree (does the resulting behaviour activate a public response, such as an ambulance call or police intervention).

Visibility

The Department of Local Government explains these public space controls should not be used to prevent ‘the congregation of drinkers where irresponsible behaviour does not occur’ (DLG 2009). The literature cautions against differential or discriminatory interpretation according to who is exhibiting the behaviour. The literature also suggests that some unintended consequences of AFZs and APAs may be to encourage young people to find unregulated public spaces in which to gather, socialise and drink out of sight, with the result that consumption of alcohol becomes normalised and contributes to adverse health consequences. Visibility does not seem to apply to intoxication as such but only to related unpleasant or unsafe behaviours observed in the public arena.

Context

The intended use of AFZs and APAs to reduce certain behaviours in public spaces is undermined by findings that these street and area restrictions are applied in an arbitrary and inconsistent manner. A recent study of these zones in NSW found that

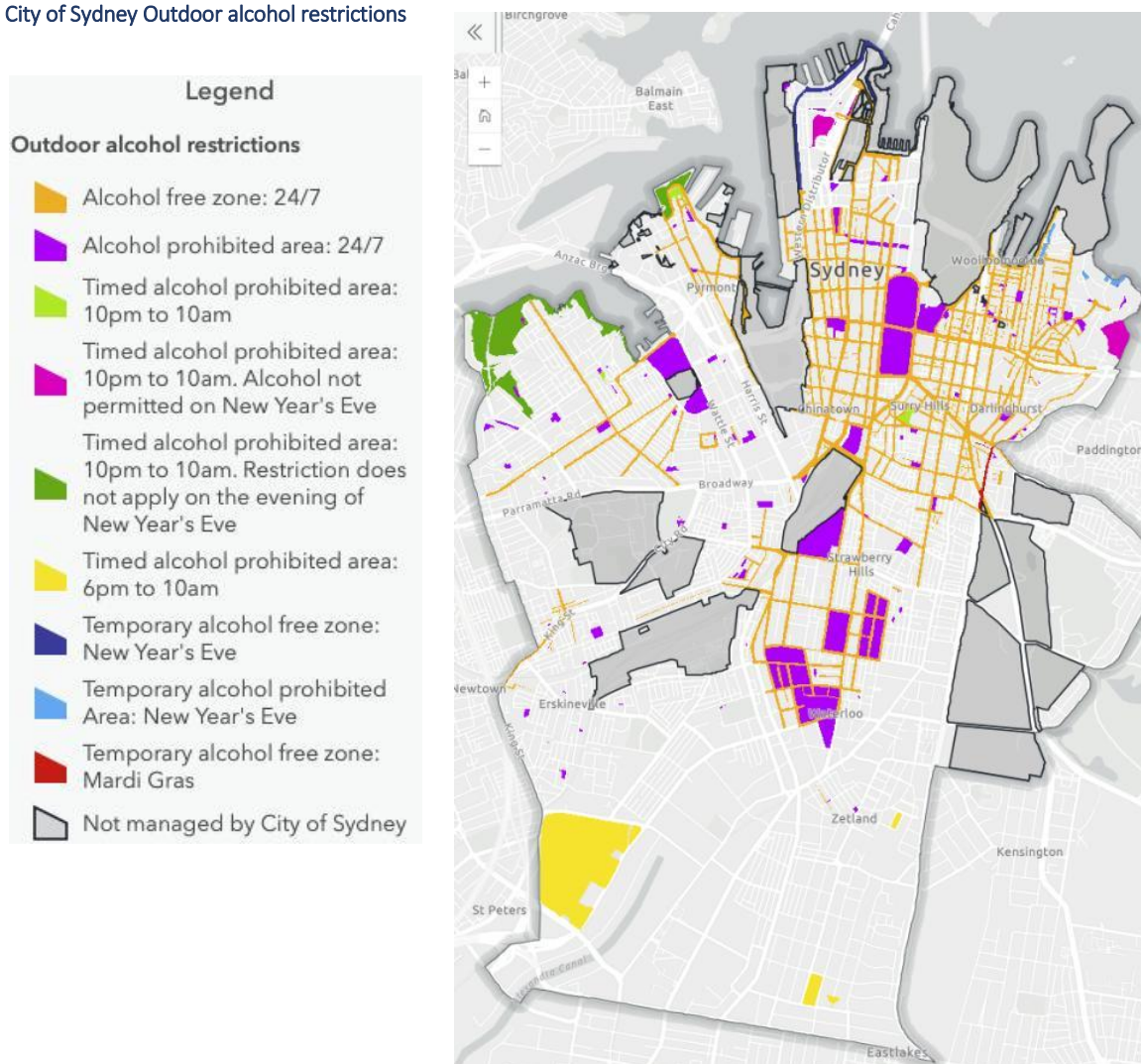
... these zones were implemented inconsistently both across and within LGAs, and that their implementation may share only a tenuous link with the incidence of crimes connected to public alcohol consumption, these findings support earlier research conducted into the design of AFZ and APA policy that suggested that their implementation acts to serve stakeholder desires rather than as a response to any evidence that they are required to address high crime rates (Fisher, Wadds and Clancy 2018).

The lack of efficacy regarding street assaults and other alcohol-related crimes adds the question of utility to questions of equity.

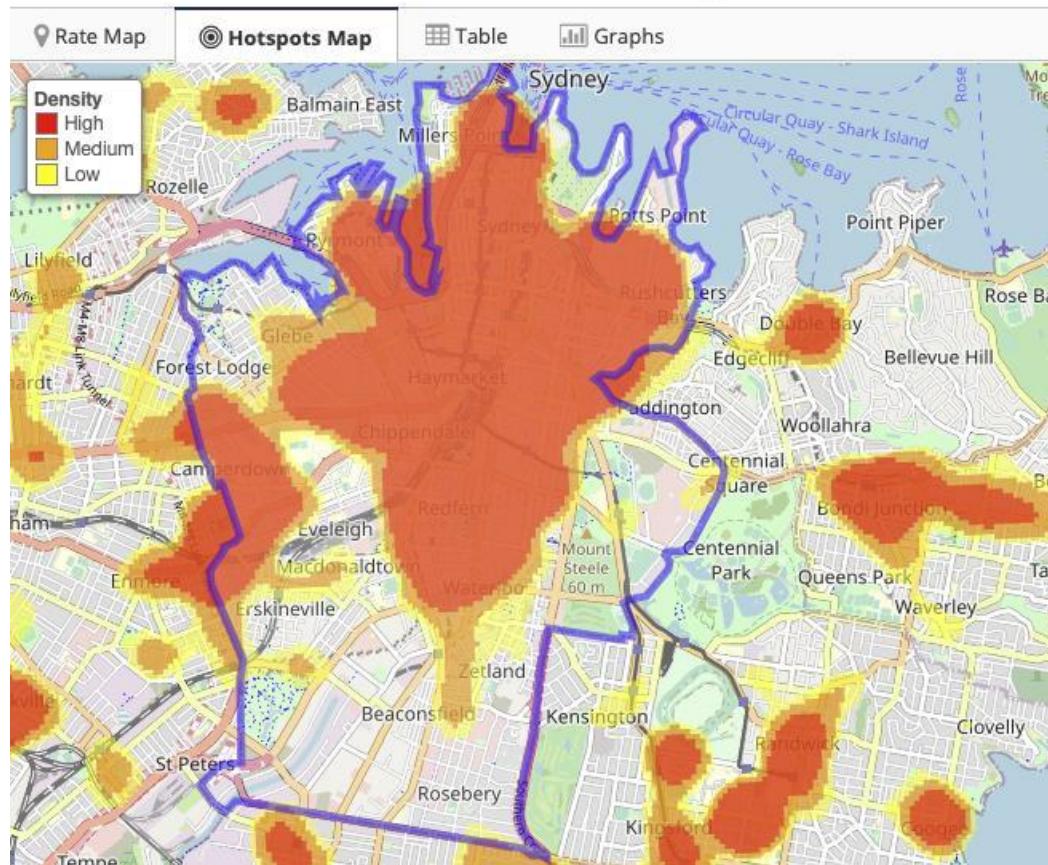
Degree

Looking at all LGAs in NSW, Fisher et al noted that there was a lack of relationship between designation of these zones and rates of either liquor offences or non-domestic assault, again supporting the suggestion that these are designated in response to stakeholder desires rather than crime rates. However, in CBDs with high rates of alcohol-related harm, designation does closely correlate with crime hotspots. This can be seen clearly in the case of the City of Sydney for which this comparative data is available.

City of Sydney Outdoor alcohol restrictions



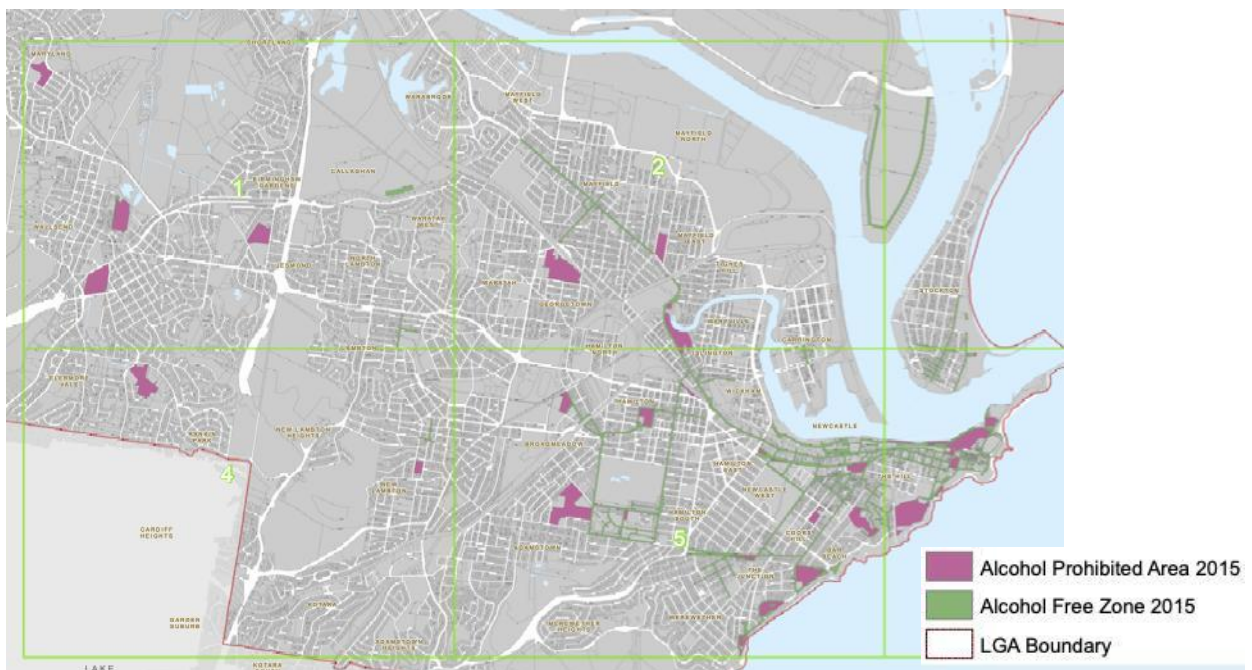
Incidents of Assault (Non-domestic assault) from January 2020 to December 2020



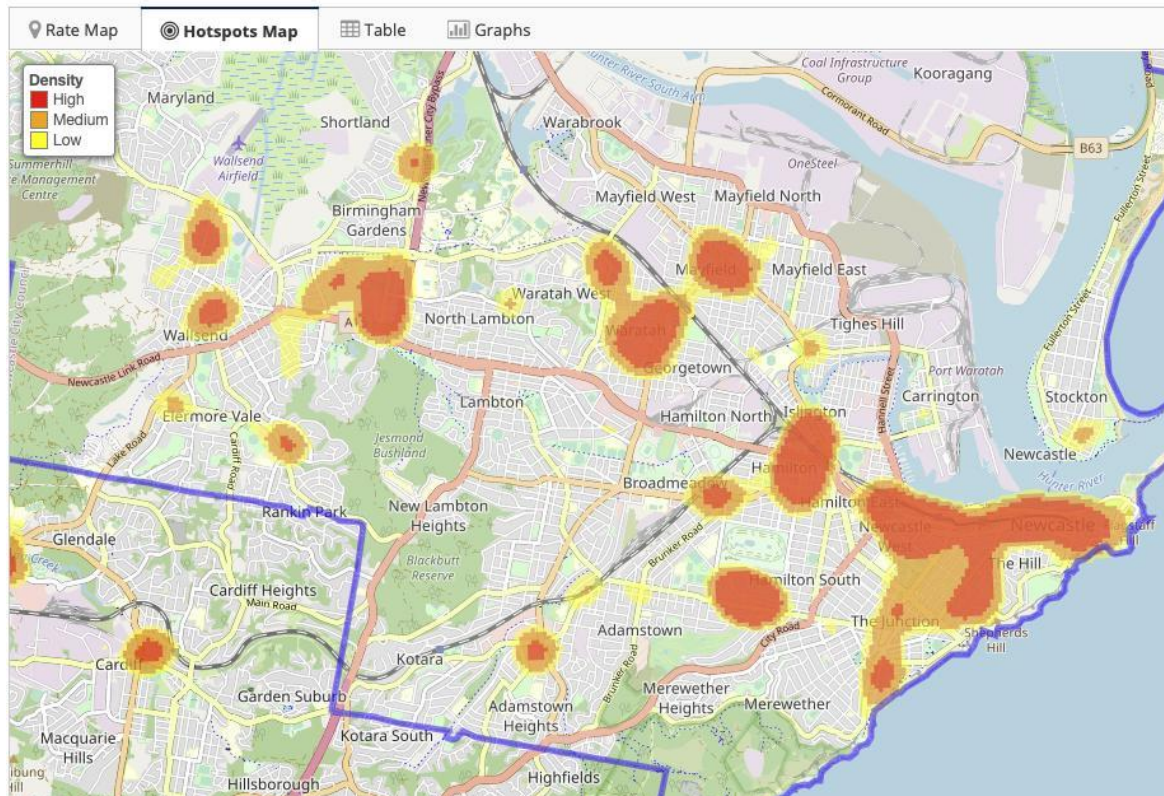
Source: BOCSAR May 2021

Although the map of AFZs and APAs is less up to date for Newcastle a similar relationship with non-domestic assault hotspots is observable.

City of Newcastle AFZs and APAs 2015



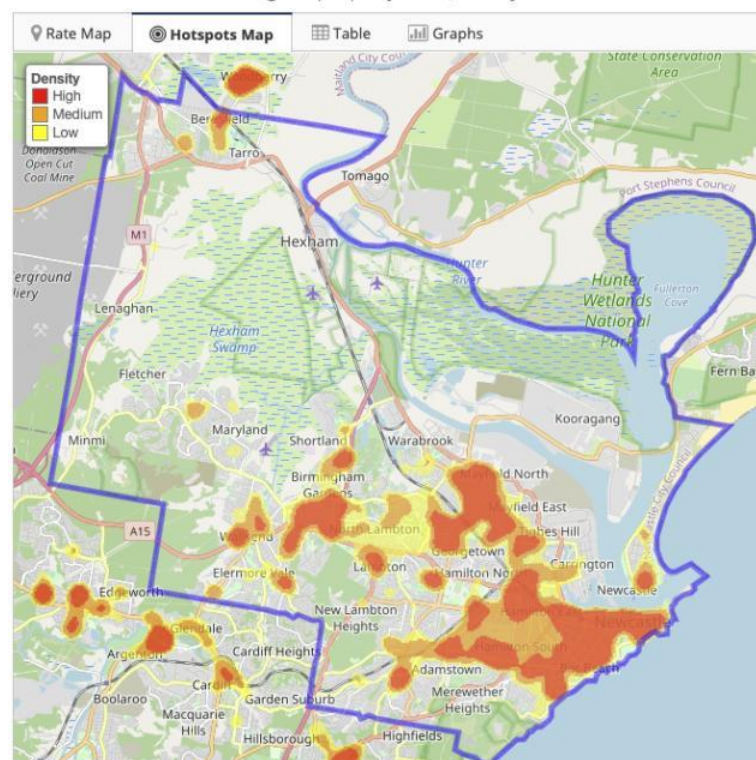
Incidents of Assault (Non-domestic assault) from January 2020 to December 2020



Source: BOCSAR, May 2021

A hotspot map is also available on the BOCSAR site for malicious damage to property which is another crime associated with intoxication. The most recent hotspot map for this crime shows a similar concentration of incidents in the Newcastle CBD.

Incidents of Malicious damage to property from January 2020 to December 2020



Source: BOCSAR May 2021

These maps support the contention that AFZs and APAs tend to be introduced for CBDs with troubling rates of alcohol-related crime. The literature does not suggest that these zones act as deterrents or effective devices to change either levels of intoxication or associated unpleasant behaviours. Indeed, the hotspot maps make it clear that they do not function as deterrents, and crime statistics over time support this interpretation.

AI.5 Crime Data

Looking at crime data for the City of Newcastle since 2015 it is clear that the City has a concerning profile of crimes known to be associated with alcohol and that the rates of these crimes in Newcastle greatly exceed those for NSW as a whole. This is clear both for the City as a whole and for Newcastle suburb in particular and is shown in the following data from BOCSAR for non-domestic assault, malicious damage to property and disorderly behaviour.

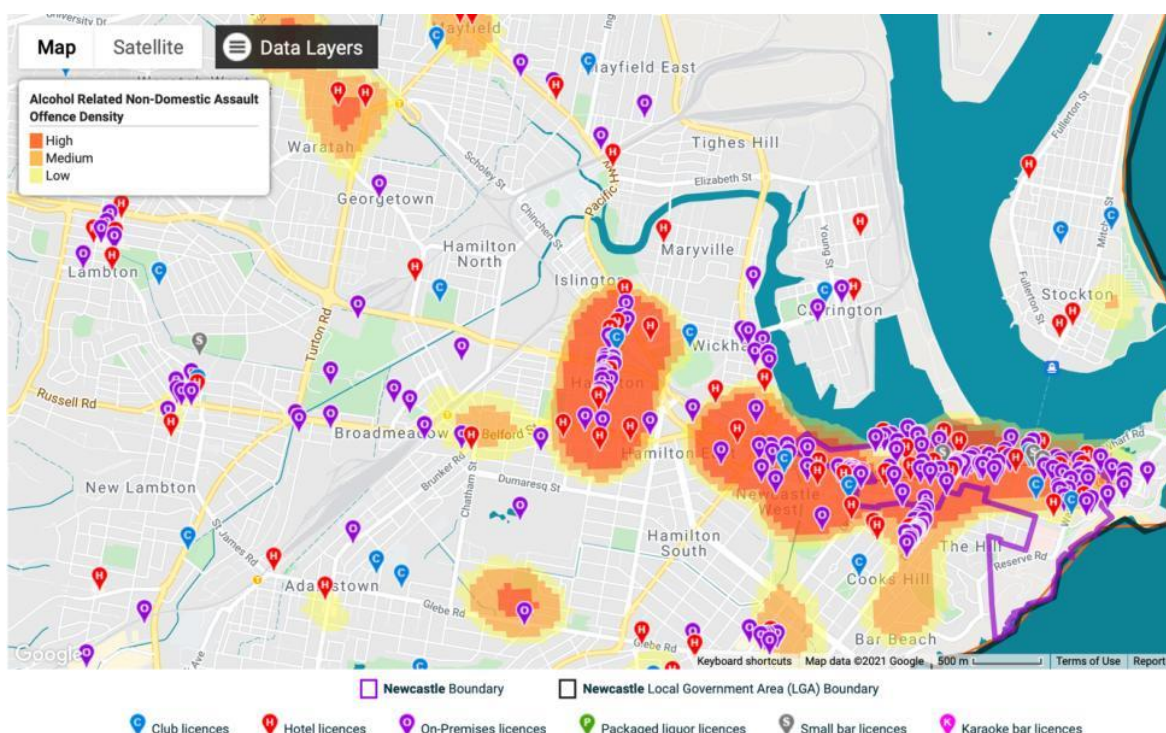
The following section uses maps and data from the NSW Bureau of Crime Statistics and Research and takes account of the following:

1. Rates per 100 000 population, calculated by BOCSAR, are used in the tables below. This standardises the data and enables comparison of areas.
2. Rates are not provided for Newcastle East or West or Cooks Hill as BOCSAR does not publish these.
3. Rates are provided for comparable city centres in NSW, namely Gosford, Parramatta, Penrith and Wollongong suburbs, as well as for NSW as a whole and CN as a whole.
4. 'Stable' is a term used by BOCSAR to mean that there was no change of statistical significance.
5. Crimes in the category of 'Liquor Offences' have not been included here as this category includes both persons drinking in an AFZ or APA and 'Licensing Legislation Offences (eg offence by licensee / employee/ secretary / minor / customer (not minor), supply liquor to juvenile, offence against registered clubs.' (BOCSAR glossary).
6. Crimes classified as 'alcohol-related' by the police are not included here because recording this category is optional (BOCSAR glossary), intoxication at the scene is often not substantiated (e.g. by a breath test) and BOCSAR advises that these data are unreliable (Fitzgerald 2019).

Non-domestic assault

Non-domestic assault hotspots are associated with licensed premises.

In the 12 months to June 2021, 29% of non-domestic assaults in Newcastle suburb took place on a road, street or footpath and 25% on licensed premises. Only 7% took place in a residential premises.



Source: ILGA LIVE DATA NSW – Alcohol Related Non-Domestic Assault, Map of CN Key Hotspots

Table A1.1: Non-domestic assault June 2016 – June 2021, rates per 100 000 population

Area	Trend 5 year	Year to June 2017	Year to June 2018	Year to June 2019	Year to June 2020	Year to June 2021
NSW	down 1.9% p.a.	411.2	408.5	398.7	400.3	364.0
Newcastle LGA	stable	689.6	646.0	662.5	634.8	704.2
Newcastle suburb	stable.	3794.0	2937.3	32142.3	2766.3	2829.9
Gosford suburb	stable	3498.3	3114.2	3937.0	2623.1	2971.1
Parramatta suburb	stable	1189.1	998.1	1030.5	1086.2	981.5
Penrith suburb	stable	1944.4	1612.6	2060.9	1912.9	1906.2
Wollongong suburb	stable	1284.2	1501.2	1150.3	1101.2	1176.5

This table shows that non-domestic assault rates in Newcastle suburb and four other city centre suburbs greatly exceeded the rates for NSW as a whole (7 times greater in the year to June 2021) as well as CN LGA (4 times greater over the most recent year). While the rates for Gosford and Newcastle suburbs are similar, both rates are noticeably higher than those reported for the other three city centres. While some suburb rates in this table may appear to suggest a decline in reported incidence, the Bureau considers any changes are not statistically significant (i.e. are stable).

Although rates for city centres reflect the fact that these centres attract high visitor numbers, these visitor rates reflect the density of licensed premises. The relationship between licence density and non-domestic assault is established in the literature. In addition, the resident population of city centres is growing, and these data refer to crimes recorded by the police which also have nuisance effects (e.g. noise, urination) and adverse ambience effects (e.g. aggressive intoxicated behaviour) which affect the resident population as well as more serious injury effects.

Available data shows non-domestic assault to which the police are called is not confined to weekends nights. In fact, while 37 assaults were recorded on weekend nights in the suburb of Newcastle in the 12 months to June 2021, another 52 were recorded on other days and at other times of day.

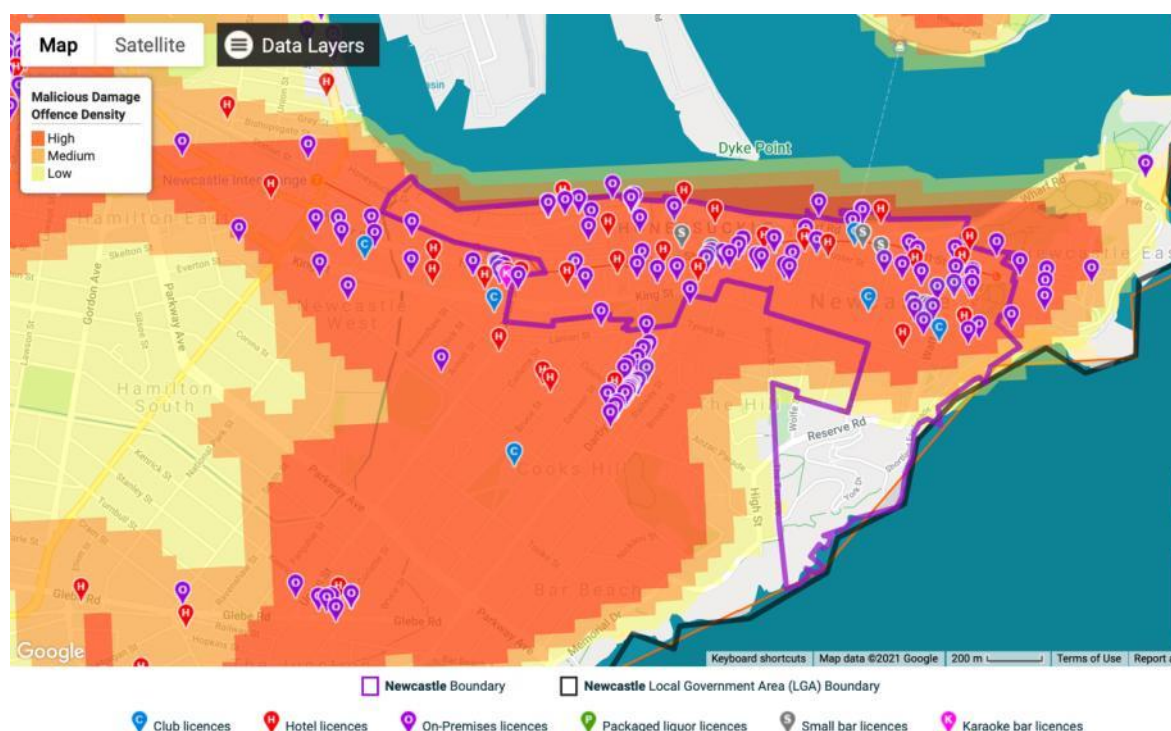
The data for the year to June 2020 appears to show the effects of Covid restrictions. Again the rates for Newcastle and Gosford suburbs are significantly worse than for NSW as a whole, CN as a whole and the other three city centres. Newcastle suburb's rates in the most recent twelve months were eleven times higher than the rate for NSW as a whole and five times higher than the rate for CN as a whole.

Table A1.2: Non-domestic assault occurring during Weekends Nights rates per 100 000 population

Area	Trend 5 year	Year to June 2017	Year to June 2018	Year to June 2019	Year to June 2020	Year to June 2021
NSW	down 5.4% p.a.	123.5	120.8	111.6	97.3	99.0
Newcastle LGA	down 3.7% p.a.	242.7	204.1	243.5	190.3	208.4
Newcastle suburb	down 8.1% p.a.	1649.3	1107.5	1283.7	890.3	1176.5
Gosford suburb	down 2.5% p.a.	1157.1	1584.3	1215.1	669.2	1043.9
Parramatta suburb	stable	291.5	227.4	264.1	261.7	219.2
Penrith suburb	stable	597.8	512.7	726.8	575.9	589.1
Wollongong suburb	down 5.5% p.a.	471.6	559.6	449.2	338.8	376.5

Malicious damage to property

Malicious damage to property hotspots are associated with licensed premises.



Source: ILGA LIVE DATA NSW – Malicious Damage, Map of Newcastle CBD. Extracted 16/07/21

Table A1.3: Malicious damage to property, June 2016 – June 2021 rates per 100 000 population

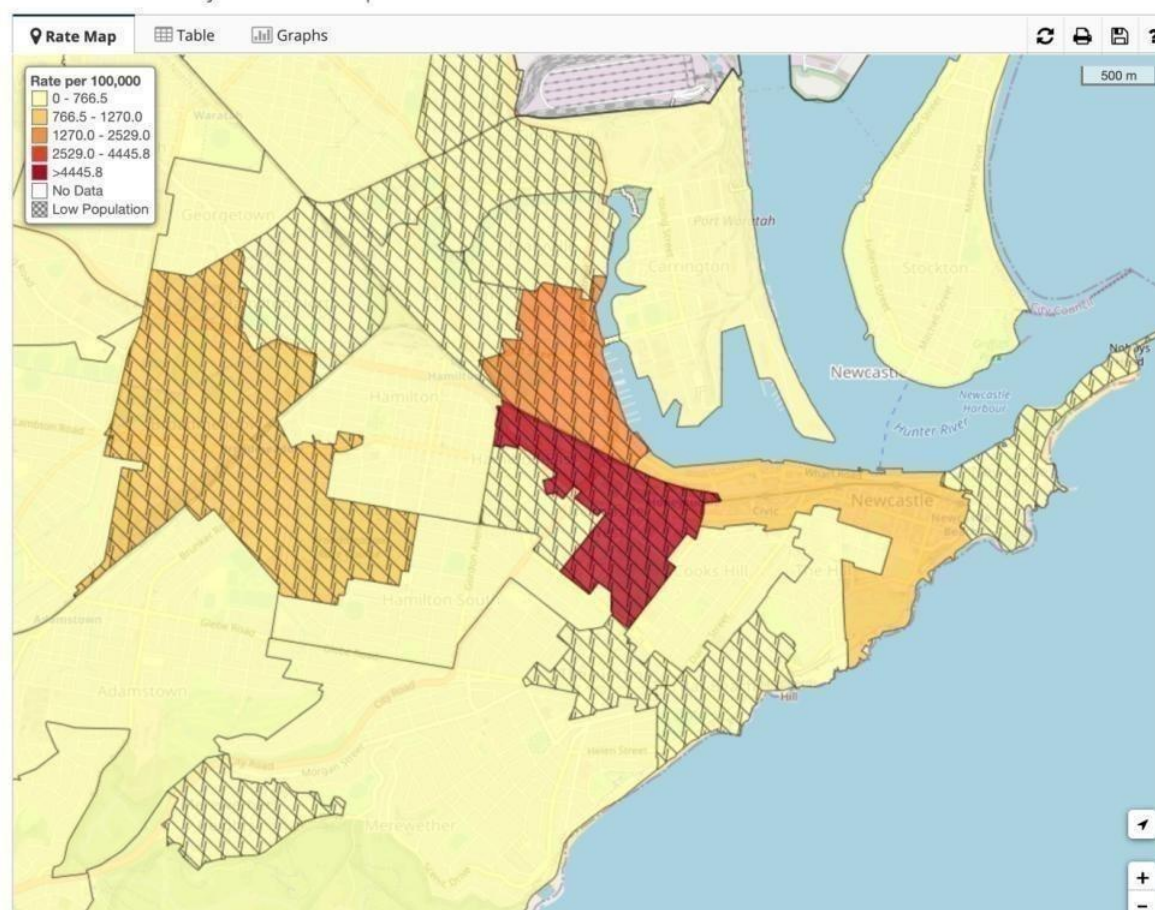
Area	Trend 5 year	Year to June 2017	Year to June 2018	Year to June 2019	Year to June 2020	Year to June 2021
NSW	down 4.7% p.a.	800.0	752.5	718.0	675.5	659.0
Newcastle LGA	down 4.4% p.a.	1411.4	1257.5	1187.7	1205.5	1181.4
Newcastle suburb	down 10.1% p.a.	4713.2	3759.7	3950.0	3275.0	3084.3
Gosford suburb	down 6.4% p.a.	4739.4	4667.0	4149.6	3747.3	3640.3
Parramatta suburb	down 8.8% p.a.	1251.6	1324.6	1195.9	1393.7	857.0
Penrith suburb	stable	2539.0	2538.1	2720.8	2839.6	2740.3
Wollongong suburb	Down 5.7% p.a.	1795.8	1697.7	1602.7	1388.3	1421.2

Reported rates of malicious damage to property have declined in NSW as a whole and in four of the five suburbs listed. While the largest decline in the last five years is reported for Newcastle suburb, the rate in the year to June 2021 was more than five times greater than the rate for NSW as a whole, more than three times greater than for Parramatta city centre and higher than the other city centres with the exception of Gosford. The Newcastle suburb rate is also 1.8 times higher than the rate for CN as a whole.

Disorderly conduct

Disorderly conduct is associated with intoxicated behaviour.

Incidents of Disorderly conduct from April 2020 to March 2021



Disorderly Conduct Map CN, 2021 Source: BOCSAR Crime Tool Map

Table A1.4: Disorderly conduct, June 2016 - June 2021 rates per 100 000 population

Area	Trend 5 year	Year to June 2017	Year to June 2018	Year to June 2019	Year to June 2020	Year to June 2021
NSW	down 5.0% p.a.	268.8	254.3	248.3	246.0	219.3
Newcastle LGA	down 8.0% p.a.	370.7	348.8	277.5	298.4	265.7
Newcastle suburb	down 22% p.a.	2920.4	1601.1	1442.7	1303.7	1081.1
Gosford suburb	stable	2618.0	2756.1	2209.2	2409.0	2061.0
Parramatta suburb	stable	529.4	516.3	587.2	530.0	480.9
Penrith suburb	down 6.5% p.a.	1006.1	975.2	929.9	880.3	767.8
Wollongong suburb	down 10.4%p.a.	1196.5	1134.4	1051.2	795.3	771.8

The Bureau's data shows that Newcastle city centre has experienced a 22% decline in reported disorderly conduct in the last five years and in this respect is showing a better crime profile than Gosford. However,

the Newcastle suburb rate is still nearly five times (4.9 times) worse than the NSW rate and remains substantially higher than for the other city centres as well as four times higher than for CN as a whole.

AI.6 Public Housing Area Analysis

The literature on alcohol regulated areas has flagged concern that public housing tenants can be discriminated against by becoming a focus for alcohol regulation in an LGA or precinct. As such, an analysis of the relevant BOCSAR crime statistics related to alcohol incidents within key public housing areas of CN, compared to immediately surrounding residential areas is included below, to inform analysis of the application of alcohol regulations with

There are concentrations of social housing in Hamilton South, Lambton, Jesmond, Newcastle East and Merewether. However, the City's social atlas reveals that social housing is widely distributed across the LGA in these specific CN public housing areas.

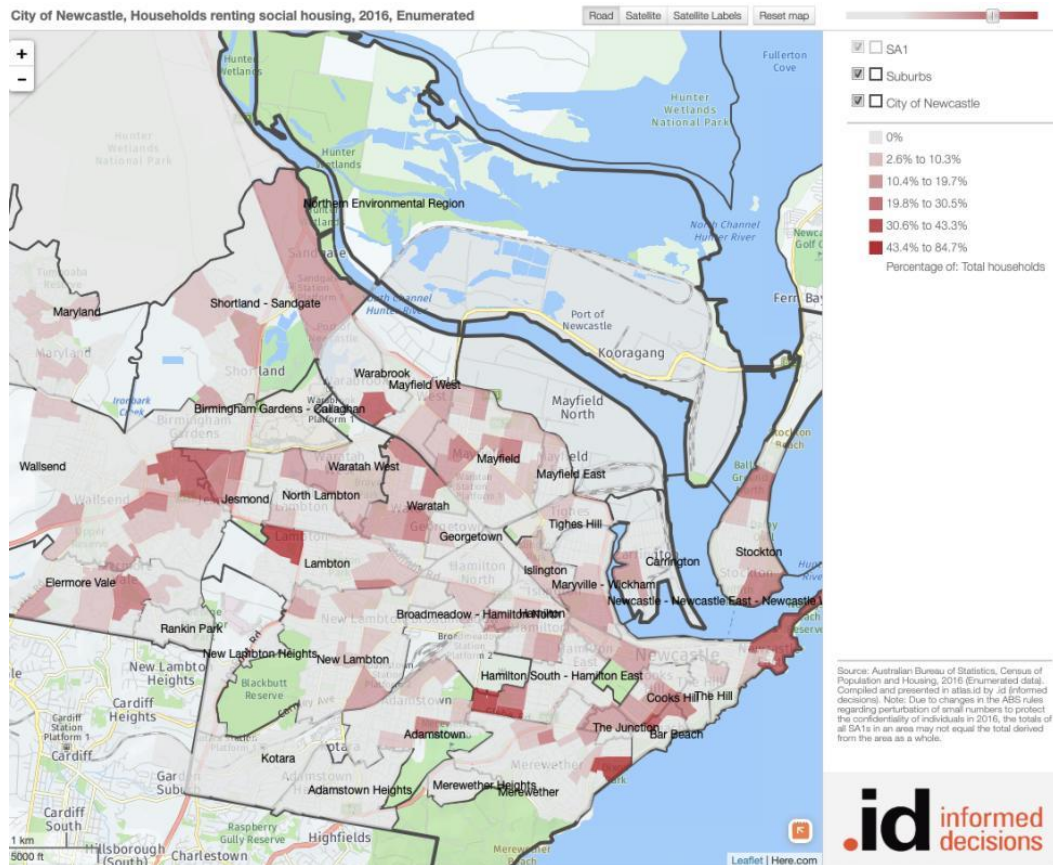
The highest number of public housing households are in the following suburbs:

- Hamilton South, in four SAIs: 496 households
- Cooks Hill/Bar Beach, in six SAIs: 318 households
- Jesmond, in six SAIs: 276 households
- Lambton, in one SAI: 128 households
- Merewether, in one SAI: 96 households
- Newcastle East, in three SAIs: 95 households
- The Junction, in three SAIs: 49 households

The number and % of households renting social housing in each suburb is available on the City's social profile:

<https://profile.id.com.au/newcastle/tenure>

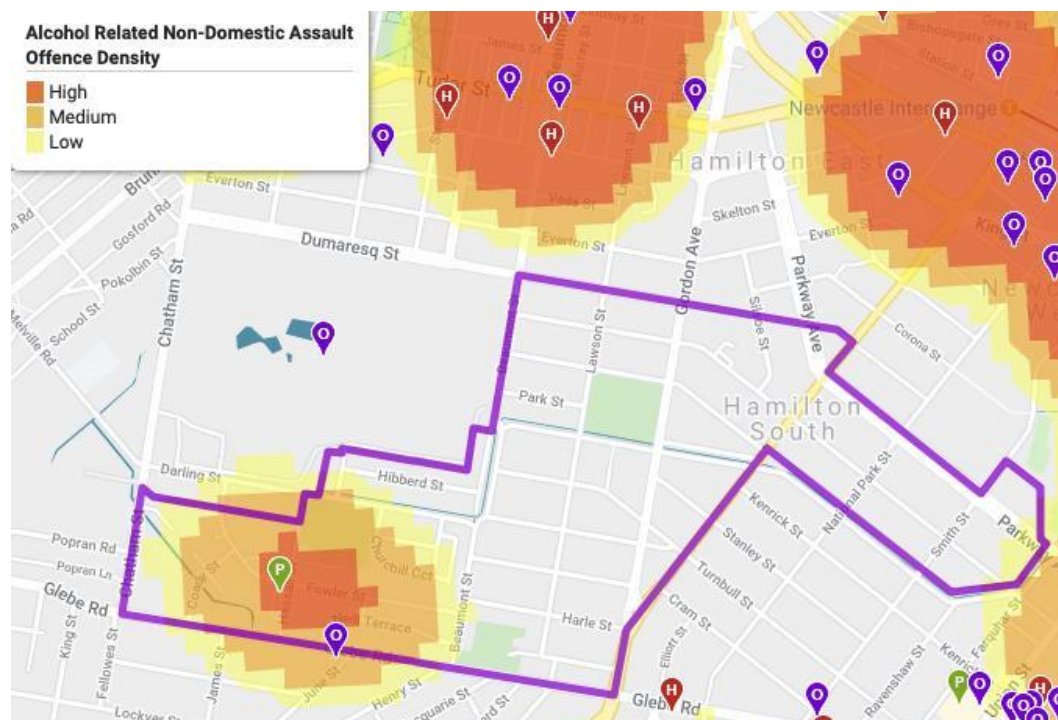
Most researchers use the non-domestic assault rates as indicators of crimes in which alcohol is likely to be involved. Comparing the City's housing tenure map with the BOCSAR hotspot map for non-domestic assault, it might appear that there is a correlation between the public housing estates and non-domestic assault hotspots. However this does not stand up to closer examination. There is a far greater spatial correlation between these hotspots and the location of hostels, clubs and packaged liquor outlets.



Source: LiveData

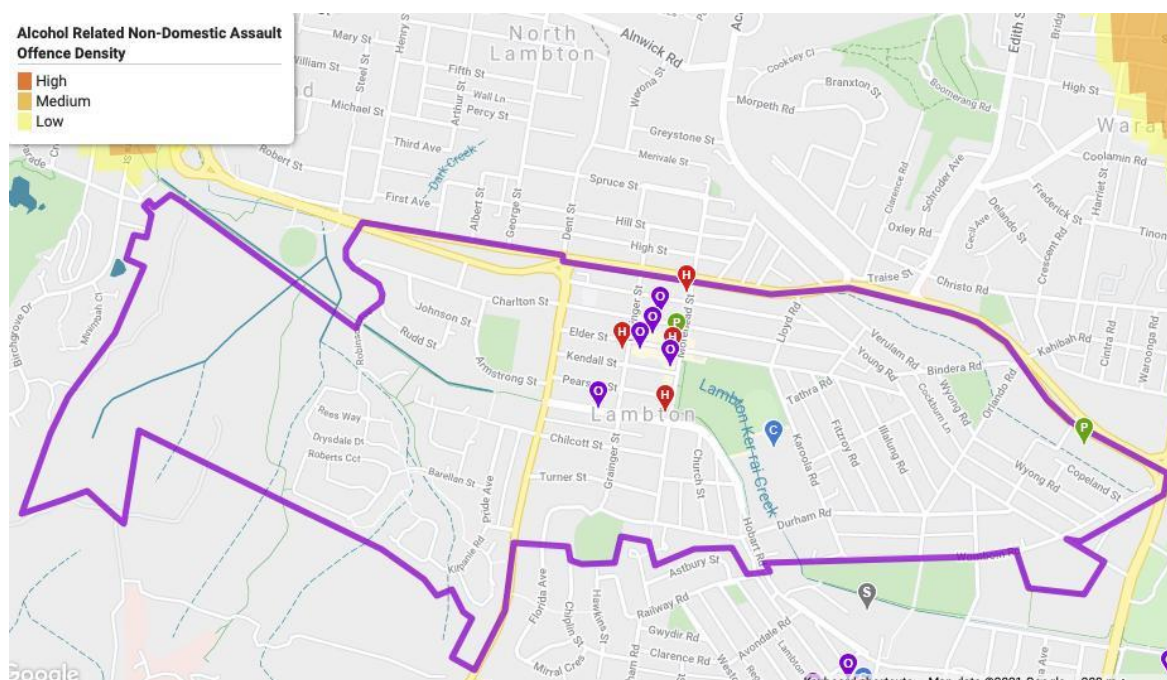
Hamilton South

Looking specifically at Hamilton South suburb, there are only two licensed premises within the suburb, being a bottle shop and the racecourse, however there is a non-domestic assault hotspot apparently associated with these two outlets. Hamilton South is currently mapped as an AFZ and also contains a mapped APA.



Lambton

Similarly the suburb of Lambton has a high proportion of public housing households but the licensed premises are all outside the public housing area (see larger map to locate it). There are no non-domestic assault hotspots in the suburb.



Newcastle, Newcastle East, Newcastle West and Cooks Hill suburbs

The hotspots in Newcastle, Newcastle East, Newcastle West and Cooks Hill suburbs are not able to be attributed to the presence of public housing in those suburbs due to the fact that these are destination entertainment areas attracting visitors from across the LGA and beyond.

In summary, evidence of a relationship between public housing and alcohol-related crime in Newcastle is inconsistent. This may be due to the presence of AFZs and associated policing. This relationship should continue as it is supported by (NSW C&J) as well as the majority of public housing residents

AI.7 Questions of Public Safety and Public Health

The public is diverse and public spaces have a plurality of uses which include expression of divergence and grievance (Dixon et al 2006). Members of the public may reasonably expect to be able both to use public spaces, including streets, for multiple uses and also to feel safe. Safety for users has many aspects and includes issues of safety for people who are intoxicated as well as those who are not. More broadly, public safety is just one aspect of public health which includes the diverse ways in which alcohol-related harm affects individuals as well as the public purse.

The balance between these issues is the problem to be managed. Arguably the rules accompanying AFZs and APAs represent an inadequate attempt to negotiate this balance. As the Department of Local Government has also observed, AFZs and APAs on their own are ineffective if the aim is to reduce, if not prevent,

irresponsible and unhealthy alcohol-related behaviours on the street (DLG 2009). Further, the police have other powers to deal with intoxication in public places.

These place based controls are one of a suite of strategies focused on individual behaviour, which are known to be ineffective. For example, responsible service of alcohol is known to be ineffective as a strategy to control intoxication (Donnelly 2011; Brick & Erickson 2009), as are persuasion and warning (Demant & Landolt 2014) and liquor accords (Curtis et al 2016). By contrast there is established evidence in the international as well as Australian literature that strategies which focus on managing the distribution of licensed premises, trading hours and the price of alcohol are effective in reducing the very behaviours that people find unacceptable on the street and the loss of amenity that goes with them. This requires looking beyond control of individual behaviours to the management of density of licensed premises, trading hours, and price, including the distribution of discount bottle shops.

Newcastle City's After Dark Strategy reports a 110% increase in total licensed premises and a 140% increase in low impact liquor licences, including small bars (NCC 2018-22 p6). While the strategy goes on to say 'this growth has occurred without a concomitant rise in alcohol-related violence' this statement fails to take account of the fact that these crime rates are high when compared with NSW as a whole and have been for many years.

Policies favouring the night time economy encourage activation of the street (vibrancy) and appear to permit (well behaved) intoxication on the street. On the other hand, AFZs and APAs are used to disallow actual drinking on certain streets or parts of streets and in certain public spaces. It is unclear whether these zones have any effect on actual intoxication. Their ostensible function is to manage visible drinking practices which may be unpleasant to observe or result in unsafe environments. They do not, however manage intoxication due to the consumption of alcohol in other places.

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APPENDIX 2: STAKEHOLDER CONSULTATION

CITY OF NEWCASTLE

ALCOHOL REGULATED AREAS REVIEW

Stakeholder Consultation Plan – 1 September 2021

Community and stakeholder engagement is required to be undertaken to inform the content of the Alcohol Regulated Area (ARA) Review for CN.

The Local Government Act 1993 and the NSW Local Government Ministerial Guidelines on Alcohol Free Zones 2009 provide details of the stakeholder engagement that is required to be undertaken to inform the review of Alcohol Free Zones and Alcohol Prohibited Areas in a Local Government Area. In summary the following persons are identified as key stakeholders and who will be consulted with, consistent with the Act and Guidelines, to inform the content and recommendations of the ARA Review.

Required Stakeholders:

- The Newcastle Police Local Area Commander -
 - Commander Humphrey
- Liquor Licensees and Secretaries of registered clubs and other licensed premises adjoining or adjacent to any proposed zone, being:
- Local Aboriginal Interest Group/ Land Councils within CN (these being the “known organisations representing or able to speak on behalf of an identifiable Aboriginal or culturally and linguistically diverse group with the local area”)
 - Awabakal LALC
 - Worimi LALC
 - Cheryl Kitchener – Department of Aboriginal Affairs NSW
- Housing Services – Hunter Team, Department of Communities and Justice
 - Kathy Kirkwood, Manager Housing Services AND/OR Andrew Delore, Acting Housing Operations Manager – Hunter Department of Communities and Justice
- NSW Anti-Discrimination Board (CN is listed in Appendix 2 of the Guidelines) – Will be consulted at the close of the formal public exhibition period

Other key stakeholders identified by the ARA Review Project Team:

- Local Community Housing Providers – Compass Housing
- Cooks Hill Resident Group Representative

Council Internal Staff

- Chief Ranger, CN
- Outdoor Trading Officer, CN

- Senior Business Support Officer, CN
- Special Events Team, CN
- Social Planner, CN
- Community Land Plan of Management Team, CN

Separate (tailored) draft consultation letters are attached for the NSW Police, Housing Services – Hunter Team, and the above identified Aboriginal Stakeholder groups are attached.

Proposed Engagement Questions

Feedback will be sought from the above key stakeholders on the operation of the APZ's and APA's, including the following matters:

- Efficacy of the existing AFZ's and APA's
- Adequacy of extent and quality of signage of the AFZ's and APA's
- Consideration of additions or reductions to the existing extent of these zones; and
- Consideration of new locations
- Whether there would be support for a broader precinct based approach to ARA's within the CN

The Consultation Process

The minimum required format for formal consultation regarding an ARA review is set out below:

- **Newspaper Notice** - Publish a notice of the proposal in a newspaper circulating in the area of the proposed alcohol-free zone, allow inspection of the proposal and invite representations or objections within 30 days from the date of publication. The notice will state the exact location of the proposed alcohol-free zone, and the place and times at which the proposal may be inspected.
- **Provision of an emailed Digital Copy of the Stage I ARAR to:**
 - a) the Police Local Area Commander and the officer in charge of the police station(s) within or nearest to the proposed zones,
 - b) Liquor licensees and secretaries of registered clubs, and licensed premises that border on, adjoin or are adjacent to, the proposed zone, and invite representations or objections within 30 days from the date of sending the copy of the proposal, AND
 - c) The NSW Anti-Discrimination Board, if the local area is listed in Appendix 2 to these Guidelines (as is NC) and invite representations or objections within 30 days from the date of sending the copy of the proposal (other councils have the option of advising the Board if they wish to seek the Board's views on the proposed alcohol-free zone). This referral will need to attached all submissions received in respect of the ARAR.

- d) Email a digital copy of the proposal to any known organisation representing or able to speak on behalf of an identifiable Aboriginal or culturally and linguistically diverse group within the local area and invite representations or objections within 30 days from the date of sending the copy of the proposal.
- **Consideration of Submissions** - CN will give proper consideration to any representations, submissions or objections received and as a result may amend or withdraw a proposal to establish an alcohol-free zone or alcohol prohibited area. However, any amendment that extends the location of the proposed alcohol-free zone or alcohol prohibited area must be supported by reasons (as outlined above).

Supplementary Workshop with Police

The value of a facilitated workshop to be attended by key stakeholders would normally be raised with key stakeholders during the initial stakeholder consultation however a face to face meeting is not likely to be possible under current COVID-19 restrictions.

As such a viable alternative that will be offered to NSW Police is an online teleconferencing workshop with the purpose of the provision of direct feedback, discussion of ideas and options and to consider the collective value of establishment of a working group with key stakeholders.

Where to post Upfront Stakeholder Consultation (this not being the formal Public Exhibition period)

Post the initial key stakeholder consultation, the Stage 2 ARA Review report will be drafted and the Stage 1 report and the initial consultation results will be reported to Council (including the results of the key stakeholder consultation) prior to public exhibition of the ARA Review.

Details of the recommended AFA/APA network for the next 4 years will be included in Stage 2 of the APA report. It will also outline the rationale for the proposed locations, scope, scale, type and GIS mapped new network, it will identify recommended street signage locations and any old locations or infrastructure to be disposed of.

Post the Public Exhibition period, a report on the outcomes of the exhibition along with any recommended changes to the ARA Review and proposed network, will be submitted to Council for final adoption.

ARA Mapping

CN will prepare updated maps of the recommended alcohol regulated areas for use during the public consultation stage and formal referral to the Anti-Discrimination Board and the CN Local Area Commander. and which will be included in the Draft and Final Stage 2 ARA Review Report.

Consultation Timeframes

It is anticipated that key stakeholder engagement with the Newcastle Police Commander and the other above identified stakeholders will commence in September 2021, followed by an initial report to Council in October seeking approval to go to public exhibition in November 2021.

If there is interest in an online Stakeholder Workshop with the Newcastle Police this could be held in October 2021, with all feedback received then being incorporated into the Stage 2 report prior to reporting to Council and public exhibition of the draft ARA Review.

Stakeholder Consultation Letter: Newcastle Police

ALCOHOL REGULATED AREAS REVIEW - CN

Our ref: 2021 - 007

Insert date

Commander Humphrey
Newcastle City Police District
Waratah Police Station
30 Harriet Street
WARATAH NSW 2298



Dear Commander Humphrey

RE: ALCOHOL REGULATED AREAS REVIEW – City of Newcastle Local Government
Area - Newcastle Police Consultation

As you are aware from our initial contact with you, the City of Newcastle (CN) has engaged All About Planning Pty Ltd (Peter and Michelle Chapman, Directors) in partnership with Alison Ziller (an experienced Social Planner), to undertake an **Alcohol Regulated Areas Review** (ARA Review) of CN's Alcohol Free Zones (AFZs) and Alcohol Prohibited Areas (APAs).

To inform the review, AAP requests an opportunity to engage with you as a key stakeholder.

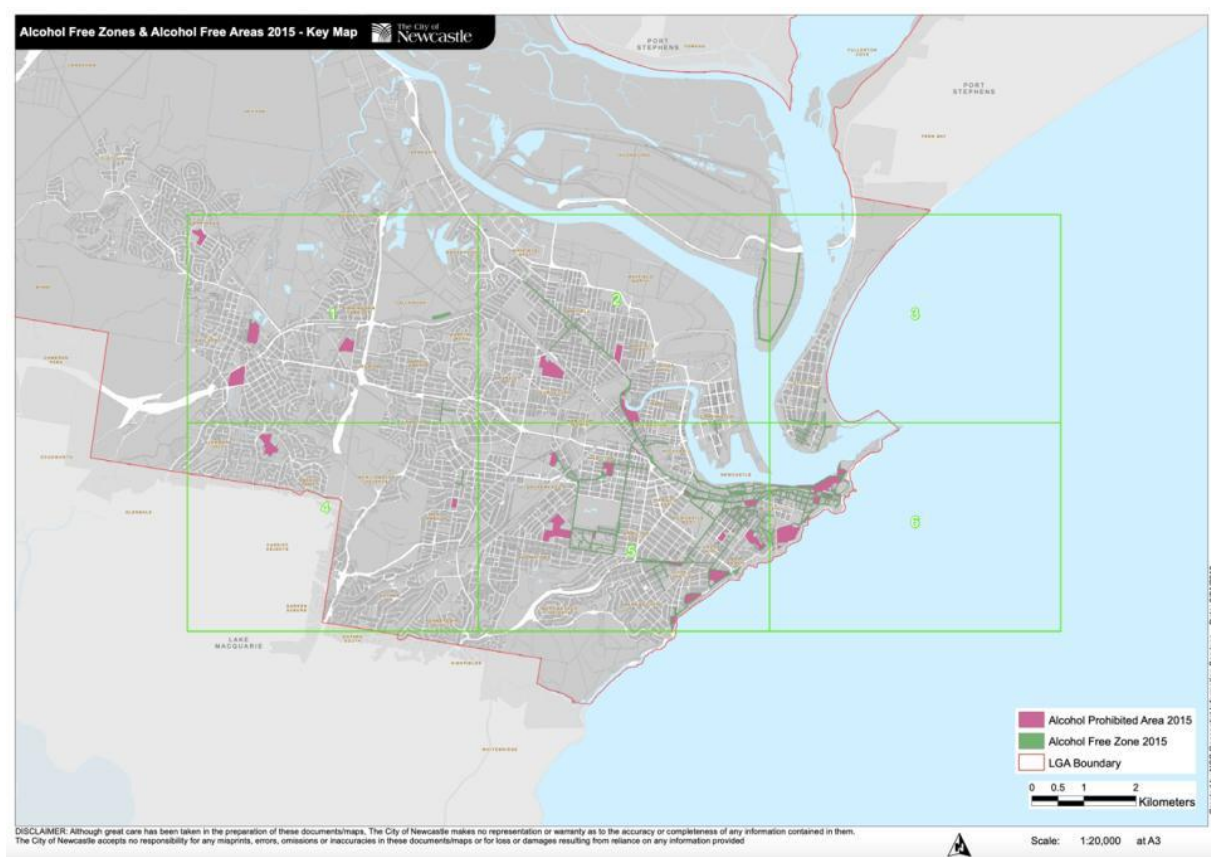
As you would be aware the Local Government Act 1993 (LG Act) and Ministerial Guidelines on Alcohol Free Zones requires formal consultation with you, as the Newcastle Police Local Area Commander. Following this initial consultation and the firming up of the proposed AFZ/ APA network locations, preparation of mapping and reporting to Council, you will be sent a second notification letter issued pursuant to 632A(8) of the LG Act seeking your formal approval for the proposed APA network for the Newcastle LGA. Information about the proposed AFZs will also be provided to you for formal comment.

The Review Project

The alcohol regulated areas (AFZs and APAs) in the LGA form part of the CN delivered initiatives aimed at reducing anti-social behaviours linked to the consumption of alcohol in public places. The review includes:

- An Audit of the existing ARA network
- Crime and safety research, locally-specific evidence and analysis
- Community and key stakeholder engagement activities
- Options for Newcastle AFZ and APA network process improvements
- Proposed network for next four-year term (to 2024)

CN has stated that in some cases the LGAs AFZs and APAs are no longer fit for purpose and/or inappropriate for the context or intended outcome of reducing anti-social behaviour related to public alcohol consumption. Further, there is general public confusion about where and when AFZs and APAs apply (or not apply), and what they mean, leading to the network perceived as complicated, weakening its regulatory impact and achievement of tool purpose and objectives. Below is a map of the current Alcohol Regulated Areas within CN – covering approximately 167 AFZ areas and 32 APAs.



Further detailed mapping and area descriptions can be found at the following CN weblink:

<https://newcastle.nsw.gov.au/community/health-safety/strategic-alcohol-management>

A holistic review of the AFZ/APA network across the LGA seeks currency and alignment with intended purposes for the next four-year term (to 2024) and to aid enhanced community understanding and application.

Alcohol Regulated Areas Review - Draft Preliminary Findings

Below are our team's key early preliminary recommendations coming out of the ARA Review to date (without the benefit of any preliminary consultation with yourself or other key stakeholders including the community):

- While research indicates AFZ/APAs have not been proven to effectively reduce the number of recorded alcohol related anti-social behaviour and serious alcohol related crimes in a precinct/location, they nonetheless provide several social and community safety benefits which are of value when implemented as part of a broader strategy to manage irresponsible alcohol consumption in public spaces. Early review findings point to recommending re-establishment of the ARA network through precinct based APZs, the re-establishment of existing permanent and time based APAs and the introduction of new APAs in some instances in the Newcastle LGA given the tool's social and community safety benefits.
- The literature review completed in Stage I of our review addressed the key public interest concern that zones and areas should not be used to discriminate against marginalised and disadvantaged groups who are alcohol dependent, and those who habitually consume alcohol in public spaces and/or who are homeless. We are recommending establishment of a Street Drinking Working Group and further investigating complementing AFZs / APAs by developing street drinking reduction and interventions, youth engagement and mental health outreach initiatives to address root causes of alcohol dependency and vulnerability.
- Change of terminology (for consistency and aid understanding) and block allocation:
 - In areas saturated with network signage (CBD, Hamilton, etc) it is recommended these be treated as a wider precinct – instigate "Alcohol Free" mapped Precincts. For these areas, a precinct based approach would replace the current individual street/place-based allocation of zones and areas. Some (preliminary) examples of identified precincts are for the Newcastle CBD, Hamilton and Hamilton South, an indicative map of these preliminary areas is attached for discussion purposes.
 - When determining "Alcohol Free" precinct boundaries it is important to ensure the outer perimeters are aligned with licensed premises including bottle shops.
 - In "Alcohol Free" mapped Precincts, consider using/adding messaging to free standing electronics signs and or signage on garbage receptacles and placed in footpaths as a means for reducing replacement/renewal signage costs, waste disposal and overall street clutter.
 - Consider the priority of erection of signage at key entry points to precincts.
- To assist with public awareness and understanding, APAs are to be consistently applied to all relevant public areas, eg. All CN Beaches, Skateparks and Sportsgrounds.

- To facilitate opportunities for picnicking, standard timed restrictions are recommended prohibiting the public consumption of alcohol to either 8pm or 10pm through to 10am (change from 8pm to 8am) at all key public picnic spots throughout the City.
- To assist with public awareness and application, nominated APA's are to always prohibit alcohol rather than nominating different days of the year/times of day for different locations (excluding picnic spots). Different rules in different places creates risk of anomalies and inconsistencies which then become an administration cost for enforcement.

Our team's initial recommendations need to be finalised for reporting to the CN elected Council in October to gain approval to go out on public exhibition. During public exhibition we will seek formal submissions from the wider community as well as all key stakeholders. It would therefore be appreciated if your feedback (whether formal or informal) on these key initial recommendations could be provided by the first week of October. Following this, our review recommendations will likely be further refined and a proposed AFA/APA network for the next four years will be prepared and re-submitted to the CN elected Council requesting approval to adopt.

Consultation Questions for Newcastle Police

Key questions for Newcastle Police identified by our consultant team are:

1. Do you consider the current alcohol regulated zones are effective in improving public safety within CN and in what ways are the mapped ARAs a useful policing tool?
2. Do you have particular concerns about any existing ARAs within CN?
3. What types of enforcement of existing AFZ/ APAs is undertaken by the Newcastle Police?
4. Where do Police have to deploy the most officers on peak days and in your experience/ opinion what areas should definitely be included as APAs or AFZs?
5. What are your views on the effectiveness of signage for the existing alcohol regulated areas within CN and do you have any recommendations for new signage for the APA and AFZ areas within CN?
6. Can you provide comment on relevant crime statistics or data to inform our review?
7. What size of zone buffer to licenced premises do Newcastle Police recommend?
8. Do Newcastle Police have any suggested approaches in relation to Public Housing estates and can you identify a reason why there is more alcohol related crime recorded in Hamilton South than in other Public Housing areas?
9. Do Newcastle Police have any preferred approaches in respect of community special events and key calendar dates?
10. Do you have any other additional advice or inputs relevant to this project enquiry?

Suggested Available Response Options

On behalf of CN and the project team, AAP confirm we would value discussion and input from the Newcastle City Police District to inform the ARA Review. The following response options are available for your consideration:

1. **OPTION 1** - An online or telephone meeting (in view of the ongoing COVID-19 situation) with key representatives of Newcastle City Police District, CN and the consultant project team, to provide opportunity to discuss the project, relevant issues and questions arising, prior to Newcastle City Police District preparing a formal response, as per Option 2. Regarding available meeting dates and time, the CN project team is available from 1.00pm Friday 10th to Tuesday 14th September (allowing 1.5hrs for the meeting). Alternative arrangements can also be considered as necessary.
2. **OPTION 2** - Provision of formal written response to the above listed questions within 30 days of the date of this letter.

Please do not hesitate to contact the undersigned Michelle Chapman on mobile (0419) 632 293 or via email michelle@allaboutplanning.com.au. The CN contact for this project is Lisa Davies, Social Planner.

I look forward to hearing from you in respect of this matter.

Yours sincerely

Michelle Chapman

Registered Planner, PIA (Fellow)
Director – All About Planning
Master Town Planning
Bachelor Urban & Regional Planning (Hons)
ALL ABOUT PLANNING



Stakeholder Consultation Letter: Housing Services – Hunter Team

ALCOHOL REGULATED AREAS REVIEW - CN

Our ref: 2021 - 007

Insert Date

Kathy Kirkwood – Manager Housing Services
Housing Services – Hunter Team
Department of Communities and Justice

via email: kathy.kirkwood@facsnsw.gov.au

Dear Kathy,



RE: ALCOHOL REGULATED AREAS REVIEW – City of Newcastle Local Government
Area: Housing Services Initial Consultation – Hunter Team

The City of Newcastle (CN) has engaged All About Planning Pty Ltd (Peter and Michelle Chapman, Directors) in partnership with Alison Ziller (Social Planner), to undertake an **Alcohol Regulated Areas Review** (ARA Review) of CN's Alcohol Free Zones (AFZs) and Alcohol Prohibited Areas (APAs).

To inform the review, AAP requests an opportunity to engage with you as a key stakeholder as the provider of a number of public housing developments in the Local Government Area, some of which have mapped Alcohol Free Zones and Alcohol Prohibited Areas immediately adjoining them.

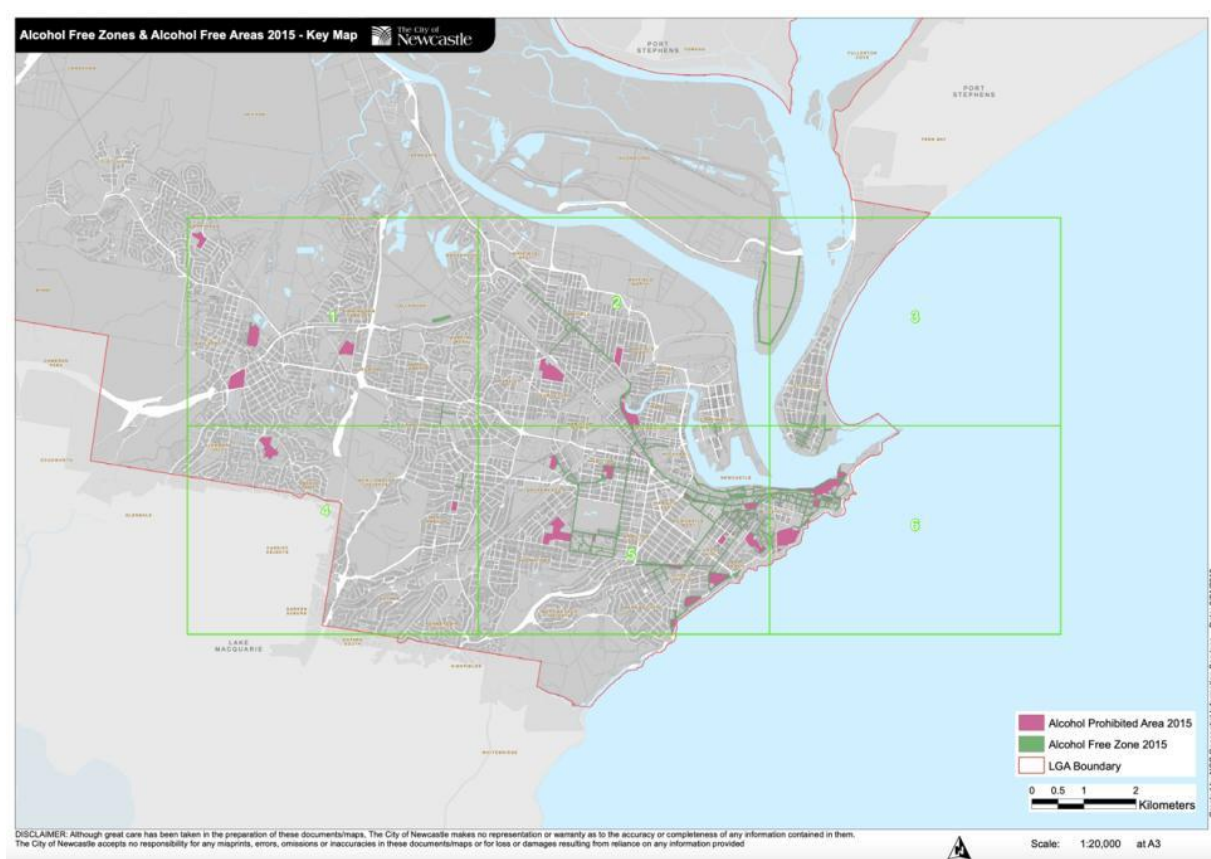
Following this initial consultation and the firming up of the proposed AFZ/ APA network locations, preparation of mapping and reporting to Council, you will be sent a second notification letter issued pursuant to 644A of the LG Act seeking your formal comments on the proposed AFZ/ APA network for the Newcastle LGA as they relate to Housing Services developments.

The Review Project

The alcohol regulated areas (AFZs and APAs) in the LGA form part of the CN delivered initiatives aimed at reducing anti-social behaviours linked to the consumption of alcohol in public places. The review includes:

- An Audit of the existing ARA network
- Crime and safety research, locally-specific evidence and analysis
- Community and key stakeholder engagement activities
- Options for Newcastle AFZ and APA network process improvements
- Proposed network for next four-year term (to 2024)

CN has stated that in some cases the LGAs AFZs and APAs are no longer fit for purpose and/or inappropriate for the context or intended outcome of reducing anti-social behaviour related to public alcohol consumption. Further, there is general public confusion about where and when AFZs and APAs apply (or not apply), and what they mean, leading to the network perceived as complicated, weakening its regulatory impact and achievement of tool purpose and objectives. Below is a map of the current Alcohol Regulated Areas within CN – covering approximately 167 AFZ areas and 32 APAs.



Further detailed mapping and area descriptions can be found at the following CN weblink:

<https://newcastle.nsw.gov.au/community/health-safety/strategic-alcohol-management>

A holistic review of the AFZ/APA network across the LGA seeks currency and alignment with intended purposes for the next four-year term (to 2024) and to aid enhanced community understanding and application.

Alcohol Regulated Areas Review - Draft Preliminary Findings

Below are our team's key early preliminary recommendations coming out of the ARA Review to date (without the benefit of any preliminary consultation with yourself or other key stakeholders including the community):

- While research indicates AFZ/APAs have not been proven to effectively reduce the number of recorded alcohol related anti-social behaviour and serious alcohol related crimes in a precinct/location, they nonetheless provide several social and community safety benefits which are of value when implemented as part of a broader strategy to manage irresponsible alcohol consumption in public spaces. Early review findings point to recommending re-establishment of the ARA network through precinct based APZs, the re-establishment of existing permanent and time based APAs and the introduction of new APAs in some instances in the Newcastle LGA given the tool's social and community safety benefits.
- The literature review completed in Stage I of our review addressed the key public interest concern that zones and areas should not be used to discriminate against marginalised and disadvantaged groups who are alcohol dependent, and those who habitually consume alcohol in public spaces and/or who are homeless. We are recommending establishment of a Street Drinking Working Group and further investigating complementing AFZs / APAs by developing street drinking reduction and interventions, youth engagement and mental health outreach initiatives to address root causes of alcohol dependency and vulnerability.
- Change of terminology (for consistency and aid understanding) and block allocation:
 - In areas saturated with network signage (CBD, Hamilton, etc) it is recommended these be treated as a wider precinct – instigate "Alcohol Free" mapped Precincts. For these areas, a precinct based approach would replace the current individual street/place-based allocation of zones and areas. Some (preliminary) examples of identified precincts are for the Newcastle CBD, Hamilton and Hamilton South, indicative maps of these preliminary areas is attached for discussion purposes.
 - When determining "Alcohol Free" precinct boundaries it is important to ensure the outer perimeters are aligned with licensed premises including bottle shops.
 - In "Alcohol Free" mapped Precincts, consider using/adding messaging to free standing electronics signs and or signage on garbage receptacles and placed in footpaths as a means for reducing replacement/renewal signage costs, waste disposal and overall street clutter.
 - Consider the priority of erection of signage at key entry points to precincts.
- To assist with public awareness and understanding, APAs are to be consistently applied to all relevant public areas, eg. All CN Beaches, Skateparks and Sportsgrounds.

- To facilitate opportunities for picnicking, standard timed restrictions are recommended prohibiting the public consumption of alcohol to either 8pm or 10pm through to 10am (change from 8pm to 8am) at all key public picnic spots throughout the City.
- To assist with public awareness and application, nominated APA's are to always prohibit alcohol rather than nominating different days of the year/times of day for different locations (excluding picnic spots). Different rules in different places creates risk of anomalies and inconsistencies which then become an administration cost for enforcement.

Our team's initial recommendations need to be finalised for reporting to the CN elected Council in October to gain approval to go out on public exhibition. During public exhibition we will seek formal submissions from the wider community as well as all key stakeholders. It would therefore be appreciated if your feedback (whether formal or informal) on these key initial recommendations could be provided by the first week of October. Following this, our review recommendations will likely be further refined and a proposed AFA/APA network for the next four years will be prepared and re-submitted to the CN elected Council requesting approval to adopt.

Consultation Questions

Key questions for Housing Services identified by our consultant team are:

1. Do you consider the current alcohol regulated zones are effective in improving public safety within CN and in what ways are the mapped ARAs a useful management tool?
2. Do you have particular concerns about any existing ARAs within CN related to your public housing developments?
3. Are you aware of particular enforcement of existing AFZ/ APAs in public housing areas undertaken by Newcastle Police?
4. Can you provide any particular advice regarding observed alcohol related crime statistics or data relevant to public housing estates under your jurisdiction?
5. Can you identify a reason why there is more alcohol related crime recorded in Hamilton South than in other Public Housing areas?
6. What are your views on the effectiveness of signage for the existing alcohol regulated areas within CN and do you have any recommendations for new signage for APA and AFZ areas within CN?
7. Do you have any suggested/preferred approaches in relation to APA's and Public Housing estates/housing developments?
8. Do you have any discrimination concerns in respect of the existing mapped AFZs and APA's relevant to the public housing developments in CN?
9. Do public housing residents broadly support AFZ and APA controls in proximity of their dwellings?
10. Do you have any other additional advice or input at this time relevant to this project enquiry?

Suggested Available Response Options

On behalf of CN and the project team, AAP confirm we would value discussion and input from Housing Services to inform the ARA Review. The following response options are available for your consideration:

1. **OPTION 1** - An online or telephone meeting (in view of the ongoing COVID-19 situation) with key representatives of Housing Services, CN and the consultant project team, to provide opportunity to discuss the project, relevant issues and questions arising, prior to your preparation of a formal response, as per Option 2. Regarding available meeting dates and time, the CN project team is available from 1.00pm Friday 10th to Tuesday 14th September (allowing 1.5hrs for the meeting). Alternative arrangements can also be considered as necessary.
2. **OPTION 2** - Provision of formal written response to the above listed questions within 30 days of the date of this letter.

Please do not hesitate to contact the undersigned Michelle Chapman on mobile (0419) 632 293 or via email michelle@allaboutplanning.com.au. The CN contact for this project is Lisa Davies, Social Planner.

I look forward to hearing from you in respect of this matter.

Yours sincerely

Michelle Chapman

Registered Planner, PIA (Fellow)
Director – All About Planning
Master Town Planning
Bachelor Urban & Regional Planning (Hons)
ALL ABOUT PLANNING



Stakeholder Consultation Letter: Aboriginal Affairs NSW

ALCOHOL REGULATED AREAS REVIEW - CN

Our ref: 2021 - 007

Insert Date

Cheryl Kitchener
Senior Project Officer
Aboriginal Affairs NSW
Department of Premier and Cabinet
Level 5, 26 Honeysuckle Drive
NEWCASTLE NSW

via email: cheryl.kitchener@aboriginalaffairs.nsw.gov.au

Dear Cheryl



RE: ALCOHOL REGULATED AREAS REVIEW – City of Newcastle Local Government
Area: Initial Consultation Department of Aboriginal Affairs NSW

The City of Newcastle (CN) has engaged All About Planning Pty Ltd (Peter and Michelle Chapman, Directors) in partnership with Alison Ziller (Social Planner), to undertake an **Alcohol Regulated Areas Review** (ARA Review) of CN's Alcohol Free Zones (AFZs) and Alcohol Prohibited Areas (APAs).

As required under the 2009 NSW Ministerial Guidelines on Alcohol Free Zones, CN is required to consult with “any known organisation representing or able to speak on behalf of an identifiable Aboriginal or culturally and linguistically diverse group within the local area”. Thus, to inform the review, AAP requests an opportunity to engage with you as a key stakeholder further to the above.

Please note we are also issuing separate stakeholder notification to the Awabakal and Worimi Local Aboriginal Land Councils.

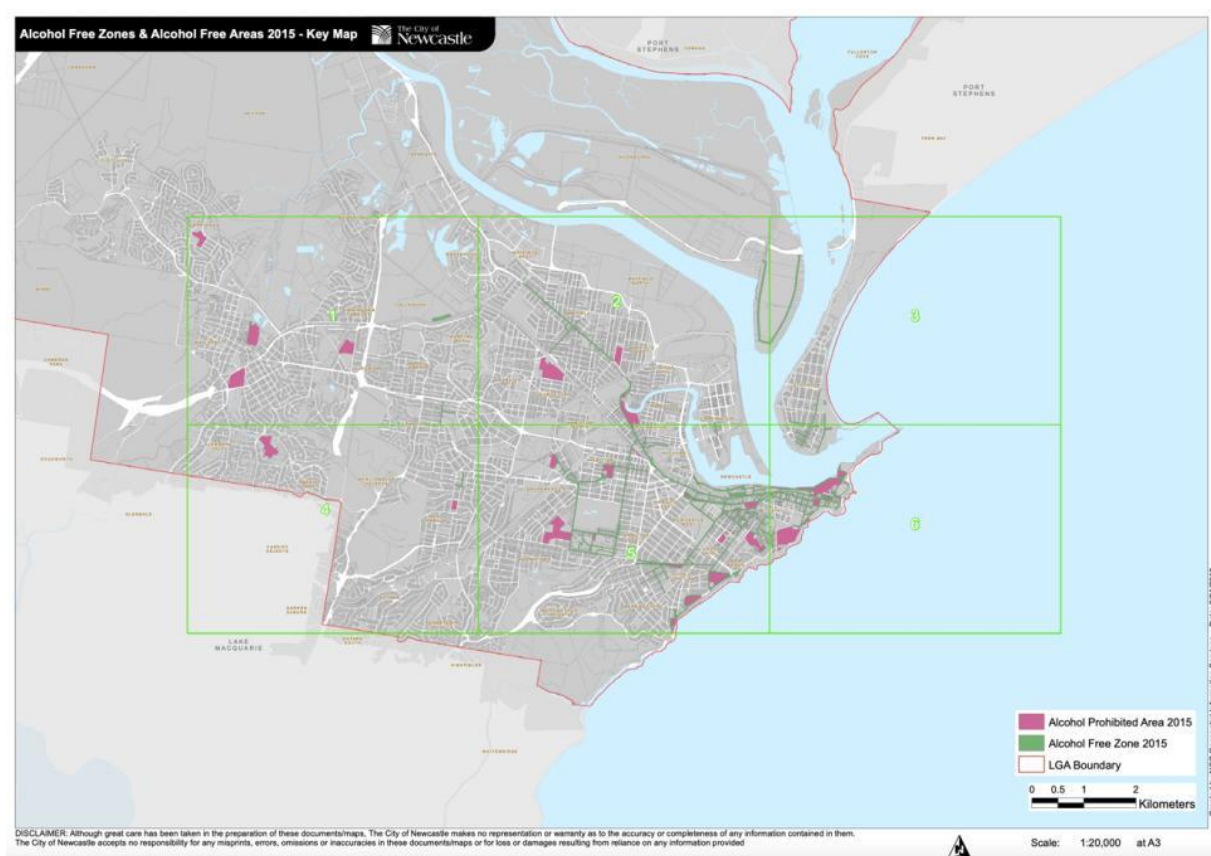
Following this initial consultation and the firming up of the proposed AFZ/ APA network locations, preparation of mapping and reporting to Council, you will be sent a second notification letter issued pursuant to 644A of the LG Act and Ministerial Guidelines seeking your formal comments on the proposed AFZ/ APA network for the Newcastle LGA.

The Review Project

The alcohol regulated areas (AFZs and APAs) in the LGA form part of the CN delivered initiatives aimed at reducing anti-social behaviours linked to the consumption of alcohol in public places. The review includes:

- An Audit of the existing ARA network
- Crime and safety research, locally-specific evidence and analysis
- Community and key stakeholder engagement activities
- Options for Newcastle AFZ and APA network process improvements
- Proposed network for next four-year term (to 2024)

CN has stated that in some cases the LGAs AFZs and APAs are no longer fit for purpose and/or inappropriate for the context or intended outcome of reducing anti-social behaviour related to public alcohol consumption. Further, there is general public confusion about where and when AFZs and APAs apply (or not apply), and what they mean, leading to the network perceived as complicated, weakening its regulatory impact and achievement of tool purpose and objectives. Below is a map of the current Alcohol Regulated Areas within CN – covering approximately 167 AFZ areas and 32 APAs.



Further detailed mapping and area descriptions can be found at the following CN weblink:

<https://newcastle.nsw.gov.au/community/health-safety/strategic-alcohol-management>

A holistic review of the AFZ/APA network across the LGA seeks currency and alignment with intended purposes for the next four-year term (to 2024) and to aid enhanced community understanding and application.

Alcohol Regulated Areas Review - Draft Preliminary Findings

Below are our team's key early preliminary recommendations coming out of the ARA Review to date (without the benefit of any preliminary consultation with yourself or other key stakeholders including the community):

- While research indicates AFZ/APAs have not been proven to effectively reduce the number of recorded alcohol related anti-social behaviour and serious alcohol related crimes in a precinct/location, they nonetheless provide several social and community safety benefits which are of value when implemented as part of a broader strategy to manage irresponsible alcohol consumption in public spaces. Early review findings point to recommending re-establishment of the ARA network through precinct based APZs, the re-establishment of existing permanent and time based APAs and the introduction of new APAs in some instances in the Newcastle LGA given the tool's social and community safety benefits.
- The literature review completed in Stage I of our review addressed the key public interest concern that zones and areas should not be used to discriminate against marginalised and disadvantaged groups who are alcohol dependent, and those who habitually consume alcohol in public spaces and/or who are homeless. We are recommending establishment of a Street Drinking Working Group and further investigating complementing AFZs / APAs by developing street drinking reduction and interventions, youth engagement and mental health outreach initiatives to address root causes of alcohol dependency and vulnerability.
- Change of terminology (for consistency and aid understanding) and block allocation:
 - In areas saturated with network signage (CBD, Hamilton, etc) it is recommended these be treated as a wider precinct – through instigation of "Alcohol Free" mapped Precincts. For these areas, a precinct based approach would replace the current individual street/place-based allocation of zones and areas. Some (preliminary) examples of identified precincts are for the Newcastle CBD, Hamilton and Hamilton South, indicative maps of these preliminary areas are attached for discussion purposes.
 - When determining "Alcohol Free" precinct boundaries it is important to ensure the outer perimeters are aligned with licensed premises including bottle shops.
 - In "Alcohol Free" mapped Precincts, consider using/adding messaging to free standing electronics signs and or signage on garbage receptacles and placed on footpaths as a means of reducing replacement/renewal signage costs, waste disposal and overall street clutter.
 - Consider the priority of erection of signage at key entry points to precincts.

- To assist with public awareness and understanding, APAs are to be consistently applied to all relevant public areas, eg. All CN Beaches, Skateparks and Sportsgrounds.
- To facilitate opportunities for picnicking, standard timed restrictions are recommended prohibiting the public consumption of alcohol to either 8pm or 10pm through to 10am (change from 8pm to 8am) at all key public picnic spots throughout the City.
- To assist with public awareness and application, other nominated APA's are to always prohibit alcohol rather than nominating different days of the year/times of day for different locations (excluding picnic spots). Different rules in different places creates risk of anomalies and inconsistencies which then become an administration cost for enforcement.

Our team's initial recommendations need to be finalised for reporting to CN elected Council in October to gain approval to go out on public exhibition. During public exhibition we will seek formal submissions from the wider community as well as all key stakeholders. It would therefore be appreciated if your feedback (whether formal or informal) on these key initial recommendations could be provided by the first week of October.

Following this, our review recommendations will likely be further refined and a proposed AFA/APA network for the next four years will be prepared and re-submitted to CN elected Council requesting approval to adopt.

Consultation Questions

Key questions for Aboriginal Affairs NSW identified by our consultant team are:

1. Do you consider the current alcohol regulated zones are effective in improving public safety and reducing alcohol related crime within CN?
2. If yes to Question 1, in what particular ways do you consider the mapped ARAs are a useful public safety management tool?
3. Does Aboriginal Affairs NSW support the existing AFZ and APA controls in the LGA?
4. Would Aboriginal Affairs NSW like to see any changes to the current mapped network of AFZs and APAs within CN?
5. Are you aware of any particular issues for Aboriginal community members related to the enforcement of existing AFZ/ APAs which is undertaken by Newcastle Police?
6. What are your views on the effectiveness of the signage for the existing mapped alcohol regulated areas within CN and do you have any recommendations for new signage for APA and AFZ areas within CN?
7. Do you have any other additional advice or input at this time relevant to this project enquiry?

Suggested Available Response Options

On behalf of CN and the project team, AAP confirm we would value discussion and input from Aboriginal Affairs NSW to inform the ARA Review. The following response options are available for your consideration:

1. **OPTION 1** - An online or telephone meeting (in view of the ongoing COVID-19 situation) with key representatives of Aboriginal Affairs NSW, CN and the consultant project team, to provide opportunity to discuss the project, relevant issues and questions arising, prior to your preparation of a formal response, as per Option 2. Regarding available meeting dates and time, the CN project team is available from 1.00pm Friday 10th to Tuesday 14th September (allowing 1.5hrs for the meeting). Alternative arrangements can also be considered as necessary.
2. **OPTION 2** - Provision of formal written response to the above listed questions within 30 days of the date of this letter.

Please do not hesitate to contact the undersigned Michelle Chapman on mobile (0419) 632 293 or via email michelle@allaboutplanning.com.au. The CN contact for this project is Lisa Davies, Social Planner.

I look forward to hearing from you in respect of this matter.

Yours sincerely

Michelle Chapman

Registered Planner, PIA (Fellow)
Director – All About Planning
Master Town Planning
Bachelor Urban & Regional Planning (Hons)
ALL ABOUT PLANNING



Stakeholder Consultation Letter: Local Area Lands Council (example)

ALCOHOL REGULATED AREAS REVIEW - CN

Our ref: 2021 - 007

Insert Date

Leeroy Wilkinson
Acting Chief Executive Officer
Awabakal Local Aboriginal Land Council

via email: ceo@awabakallalc.com.au

Dear Leeroy,



RE: ALCOHOL REGULATED AREAS REVIEW – City of Newcastle Local Government
Area: Initial Consultation Awabakal Local Aboriginal Land Council

The City of Newcastle (CN) has engaged All About Planning Pty Ltd (Peter and Michelle Chapman, Directors) in partnership with Alison Ziller (Social Planner), to undertake an **Alcohol Regulated Areas Review** (ARA Review) of CN's Alcohol Free Zones (AFZs) and Alcohol Prohibited Areas (APAs).

As required under the 2009 NSW Ministerial Guidelines on Alcohol Free Zones, CN is required to consult with “any known organisation representing or able to speak on behalf of an identifiable Aboriginal or culturally and linguistically diverse group within the local area”. Thus, to inform the review, AAP requests an opportunity to engage with you as a key stakeholder further to the above.

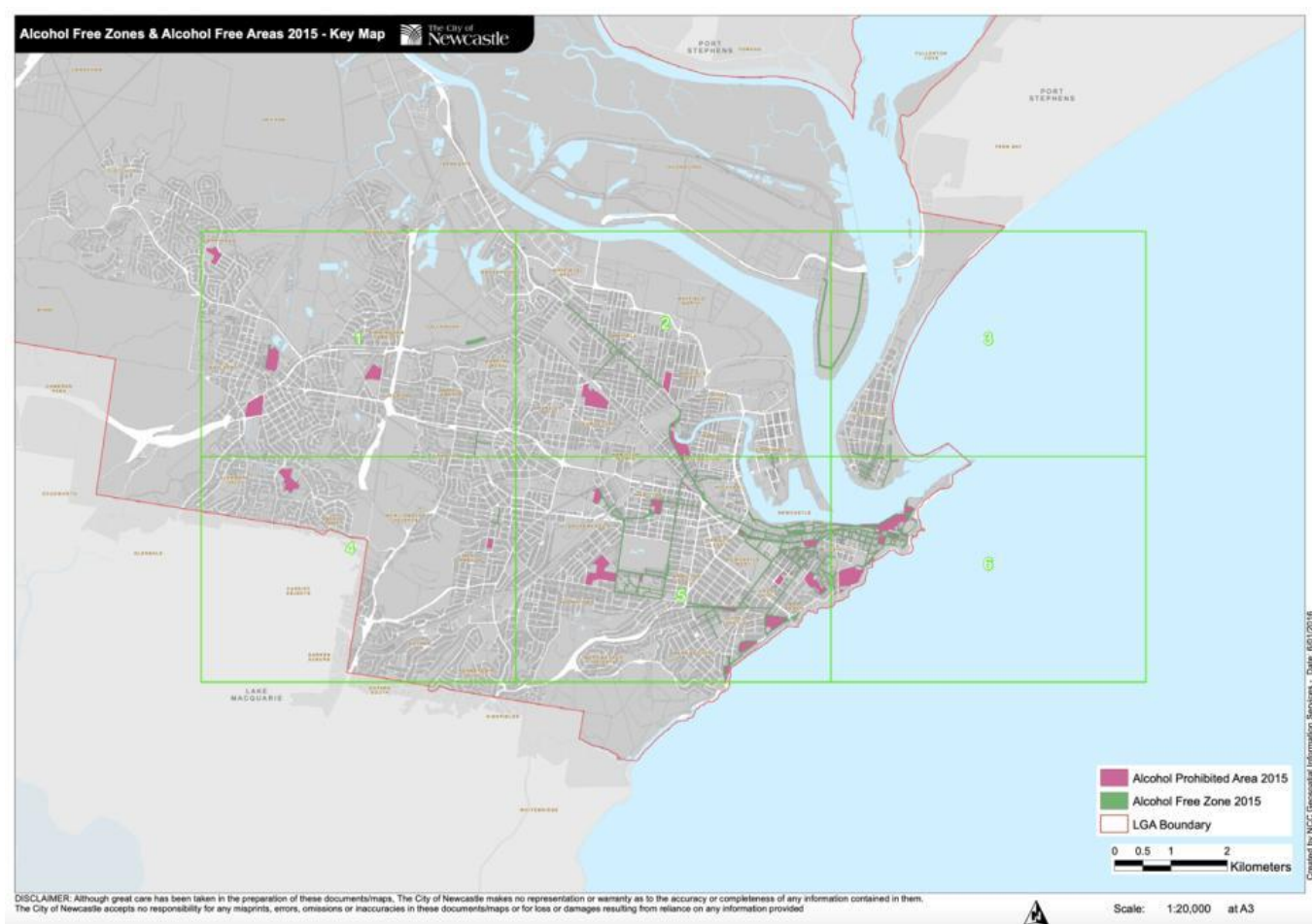
Please note we are also issuing separate stakeholder notifications to Aboriginal Affairs NSW, and the Worimi Local Aboriginal Land Council.

Following this initial consultation and the firming up of the proposed AFZ/ APA network locations, preparation of mapping and reporting to Council, you will be sent a second notification letter issued pursuant to 644A of the LG Act and Ministerial Guidelines seeking your formal comments on the proposed AFZ/ APA network for the Newcastle LGA.

The Review Project

The alcohol regulated areas (AFZs and APAs) in the LGA form part of the CN delivered initiatives aimed at reducing anti-social behaviours linked to the consumption of alcohol in public places. The review includes:

- An Audit of the existing ARA network
- Crime and safety research, locally-specific evidence and analysis
- Community and key stakeholder engagement activities
- Options for Newcastle AFZ and APA network process improvements
- Proposed network for next four-year term (to 2024)



CN has stated that in some cases the LGAs AFZs and APAs are no longer fit for purpose and/or inappropriate for the context or intended outcome of reducing anti-social behaviour related to public alcohol consumption. Further, there is general public confusion about where and when AFZs and APAs apply (or not apply), and what they mean, leading to the network perceived as complicated, weakening its regulatory impact and achievement of tool purpose and objectives. Below is a map of the current Alcohol Regulated Areas within CN – covering approximately 167 AFZ areas and 32 APAs.

Further detailed mapping and area descriptions can be found at the following CN weblink:

<https://newcastle.nsw.gov.au/community/health-safety/strategic-alcohol-management>

A holistic review of the AFZ/APA network across the LGA seeks currency and alignment with intended purposes for the next four-year term (to 2024) and to aid enhanced community understanding and application.

Alcohol Regulated Areas Review - Draft Preliminary Findings

Below are our team's key early preliminary recommendations coming out of the ARA Review to date (without the benefit of any preliminary consultation with yourself or other key stakeholders including the community):

- While research indicates AFZ/APAs have not been proven to effectively reduce the number of recorded alcohol related anti-social behaviour and serious alcohol related crimes in a precinct/location, they nonetheless provide several social and community safety benefits which are of value when implemented as part of a broader strategy to manage irresponsible alcohol consumption in public spaces. Early review findings point to recommending re-establishment of the ARA network through precinct based APZs, the re-establishment of existing permanent and time based APAs and the introduction of new APAs in some instances in the Newcastle LGA given the tool's social and community safety benefits.
- The literature review completed in Stage I of our review addressed the key public interest concern that zones and areas should not be used to discriminate against marginalised and disadvantaged groups who are alcohol dependent, and those who habitually consume alcohol in public spaces and/or who are homeless. We are recommending establishment of a Street Drinking Working Group and further investigating complementing AFZs / APAs by developing street drinking reduction and interventions, youth engagement and mental health outreach initiatives to address root causes of alcohol dependency and vulnerability.
- Change of terminology (for consistency and aid understanding) and block allocation:
 - In areas saturated with network signage (CBD, Hamilton, etc) it is recommended these be treated as a wider precinct – through instigation of "Alcohol Free" mapped Precincts. For these areas, a precinct based approach would replace the current individual street/place-based allocation of zones and areas. Some (preliminary) examples of identified precincts are for the Newcastle CBD, Hamilton and Hamilton South, indicative maps of these preliminary areas are attached for discussion purposes.
 - When determining "Alcohol Free" precinct boundaries it is important to ensure the outer perimeters are aligned with licensed premises including bottle shops.

- In "Alcohol Free" mapped Precincts, consider using/adding messaging to free standing electronics signs and or signage on garbage receptacles and placed on footpaths as a means of reducing replacement/renewal signage costs, waste disposal and overall street clutter.
- Consider the priority of erection of signage at key entry points to precincts.
- To assist with public awareness and understanding, APAs are to be consistently applied to all relevant public areas, eg. All CN Beaches, Skateparks and Sportsgrounds.
- To facilitate opportunities for picnicking, standard timed restrictions are recommended prohibiting the public consumption of alcohol to either 8pm or 10pm through to 10am (change from 8pm to 8am) at all key public picnic spots throughout the City.
- To assist with public awareness and application, other nominated APA's are to always prohibit alcohol rather than nominating different days of the year/times of day for different locations (excluding picnic spots). Different rules in different places creates risk of anomalies and inconsistencies which then become an administration cost for enforcement.

Our team's initial recommendations need to be finalised for reporting to CN elected Council in October to gain approval to go out on public exhibition. During public exhibition we will seek formal submissions from the wider community as well as all key stakeholders. It would therefore be appreciated if your feedback (whether formal or informal) on these key initial recommendations could be provided by the first week of October. Following this, our review recommendations will likely be further refined and a proposed AFA/APA network for the next four years will be prepared and re-submitted to CN elected Council requesting approval to adopt.

Consultation Questions

Key questions for the Awabakal LALC identified by our consultant team are:

1. Do you consider the current alcohol regulated zones are effective in improving public safety and reducing alcohol related crime within CN?
2. If yes to Question 1, in what particular ways do you consider the mapped ARAs are a useful public safety management tool?
3. Does Awabakal LALC support the existing AFZ and APA controls in the LGA?
4. Would Awabakal LALC like to see any changes to the current mapped network of AFZs and APAs within CN?
5. Are you aware of any particular issues for Aboriginal community members related to the enforcement of existing AFZ/ APAs which is undertaken by Newcastle Police?
6. What are your views on the effectiveness of the signage for the existing mapped alcohol regulated areas within CN and do you have any recommendations for new signage for APA and AFZ areas within CN?

7. Do you have any other additional advice or input at this time relevant to this project enquiry?

On behalf of CN and the project team, AAP confirm we would value the provision of a formal written response to the above listed questions within 30 days of the date of this letter.

Please do not hesitate to contact the undersigned Michelle Chapman on mobile (0419) 632 293 or via email michelle@allaboutplanning.com.au. The CN contact for this project is Lisa Davies, Social Planner.

I look forward to hearing from you in respect of this matter.

Yours sincerely

Michelle Chapman

Registered Planner, PIA (Fellow)
Director – All About Planning
Master Town Planning
Bachelor Urban & Regional Planning (Hons)
ALL ABOUT PLANNING



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