Alcohol Regulated Areas Review - Stage 2 Report for Public Exhibition: The Proposed Network

City of Newcastle

Rev: 30th September 2021

ALISON ZILLER &
ALL ABOUT PLANNING

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Alcohol Regulated Areas (ARA) Review

- Stage 2 Report for Public Exhibition: The Proposed Network

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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 comprises:

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

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For and on behalf of All About Planning Pty Ltd.

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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) are also being included in the review. This Stage 2 report sets out recommendations for a further four-year term (to 2025).

Sections 642 and 632A of the *Local Government Act 1993* provide Local Government in NSW with the power to establish an alcohol free zone (AFZ) and alcohol prohibited area (APA) at any or certain times.

The City of Newcastle (CN) currently has approximately 170+ AFZ and 37 APAs extending from Maryland, Elermore Vale, Stockton, Merewether and Newcastle East.

Alcohol regulated areas (ARA's) are designed as an early intervention measure to prevent anti-social and irresponsible behaviour related to alcohol consumption in public areas like streets, footpaths (excluding approved outdoor trading areas), public parks, beaches and reserves.

ARA NETWORK RECOMMENDATIONS

KEY ARA Network recommendations for the CN are:

- Adopt a precinct based approach for CN's AFZ and APA's that span multiple streets/roads, with boundaries aligned to licensed premises and to reflect updated relevant alcohol related crime mapping.
- When determining "Alcohol Free" precinct boundaries, perimeters are to align with licensed premises and hotspot mapping rather than extending an ARA well beyond these premises. This will address potential discrimination issues associated by AFZ/APA's.
- Recommended Mapped ARA's and Precincts include the following: Newcastle CBD, Hamilton and Hamilton South, Mayfield including Webb Park, all Beaches, Skateparks, the Hunter Foreshore, Nobbys Foreshore Park, Stockton Foreshore, King Edward Park and Wallsend (refer to the proposed network maps found at Appendix 1).
- Key public areas not included in the proposed ARA network are playgrounds, sports fields and parks, with the exception of sports fields currently mapped as an APA and that fall within an identified BOCSAR crime hotspot.
- Improve ARA signage clarity and reduce signage clutter. Use standardised new larger signage that is more picture and/or map based at the entry to all ARA precincts and at key locations within identified precincts, including footpath signage, free standing electronic signs and signage on garbage receptacles, to reduce overall signage clutter and improve legibility.
- Respond to day time habitual street drinking as a public health issue rather than a criminal issue.
- Facilitate opportunities for picnicking by adopting timed restrictions prohibiting the public consumption of alcohol from 8pm through to 8am for all key picnic spots throughout the city.
- All other targeted APA's will have a blanket prohibition applied on the consumption of alcohol.
- Grant delegation to NC Director S&E to determine variations to APA and AFZ's for temporary events

1.0 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 currently has approximately 170 alcohol free zones and 37 alcohol prohibited areas in the LGA, extending from Maryland, Elermore 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;
- Provides a 'soft' regulatory leveller to assist NSW Police control irresponsible public space drinking;
- Forms 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.

This Stage 2 Report applies the identified research, audit findings and community consultation feedback and recommends an updated ARA network to 2025 for CN. Recommendations include process and administrative improvements as well as an updated ARA network for CN.

ARA REVIEW METHOD

Stage 1:

- Using a GIS Collector App, record ARA signage/area data and complete an audit of the existing LGA AFZ/APA network, GIS mapped by location, type, hours, damaged and missing 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 Stage 2 Report
- Prepare Final Stage 2 Report

Stage 3 (following formal public exhibition):

- Adopt and execute the final network for a further four-year term (to 2025), including undertaking of the updated GIS mapping.

2.0 ARA NETWORK AIMS and OBJECTIVES

The primary aims and objectives of establishing AFZs and APAs as expressed in the Local Government Act 1993 and the Ministerial Guidelines on Alcohol Free Zones (2009) are to:

A. Allow an early intervention measure to prevent escalation of irresponsible street drinking to incidents involving serious crime.
B. To limit and manage the locations within a Council LGA where alcohol can be consumed within a public place and/or street drinking is permitted.
C. To allow the community use of APA and AFZ spaces without interference from irresponsible street drinkers.
D. To improve community perceptions of safety (perceptions of safety being an implied objective in the Guidelines), for good civic governance and to reflect the expectation of the public for their safe use of streets and other public places.
E. To ensure there is a link between AFZs and APAs and the occurrence of irresponsible behaviour arising from consumption of alcohol in the nominated area, including incidents of obstruction, littering and the actual commission of, or police intervention to avoid commission of, more serious offences such as malicious damage and assault.
F. To enable the confiscation of alcohol in certain public places as a compliance tool.

These primary aims and objectives of ARA's are outlined below with particular consideration given to CN.

Relevant literature reviewed in respect of these matters is detailed in the Stage 1 project report.

Part of the Newcastle Foreshore Promenade. Photo Source: All About Planning Pty Ltd

A. Prevent Escalation of Irresponsible Street Drinking to Serious Crime Incidents

The Department of Local Government has identified that 'Alcohol-free zones are most effective if they are part of a larger community education program directed at irresponsible alcohol consumption, in which the

local community is actively involved. Used in isolation ARA's may only move the irresponsible public drinking from one place to another'. (DLG 2009, p.5)

What constitutes irresponsible alcohol consumption is defined as behaviours such as obstruction, littering, excessive noise, verbal abuse, public urination and vomiting to the commission of more serious offences such as malicious damage and assault.

The Departmental Guideline, 2009 does not define the public health impacts of intoxication. Rather the Guideline is primarily concerned with seeking to prevent an escalation in irresponsible street drinking that would lead to incidents involving serious crime.

The Guidelines also seeks to ensure that the place-related designations are not misused so as to discriminate against an ethnic or socially vulnerable group, or to inappropriately favour some business interests. These concerns and dilemmas are borne out in the literature, as detailed in the Stage 1 ARA Report.

B. Limit and Manage Locations for Consumption of Alcohol in a Public Place/Street

The Guidelines are clear in that they require demonstrated linkages between alcohol related crime, littering and/or obstruction incidents in order to contemplate adoption of an AFZ or APA.

A detailed alcohol related crime statistics analysis has informed this ARA Review. Please refer to the Stage 1 ARA Report for these details.

A number of specific recommendations for retention of AFZ's and APA's have been made, but in some areas also proposing a reduction of AFZ's and an increase in APA's to cover key areas, subject to the approval of the Local Area Commander.

Specific indicative locations within the CN considered suitable for adoption of or retention of ARA's are:

- All Beaches, Skateparks and key picnic spots
- Newcastle City East, Newcastle City Central and Newcastle City West – being one precinct reflecting hotspot mapping
- Hamilton South – a public housing precinct reflecting hotspot mapping
- Darby Street, and Cooks Hill – one precinct reflecting hotspot mapping
- Beaumont Street, Hamilton –one precinct reflecting hotspot mapping
- The area extending South from King Street, Stockton, centred along Mitchell Street, including the Hunter River Foreshore
- Mayfield – incorporating key liquor licence areas and identified hotspots
- Wallsend – main street and new skate park

Key public areas not proposed to be included in the updated ARA network are playgrounds, most sports fields and public parks, with the exception of those areas currently mapped as an APA and which fall within a BOCSAR crime hotspot and/or an identified key picnic area.

C. Allow Public Use of Areas without Interference from Irresponsible Street Drinkers

The public has an expectation to be able to access and use public streets and areas without interference from irresponsible street drinkers. There are many local government areas that seek to regulate use of certain streets and spaces with this primary objective in mind.

D. Improve Community Perceptions of Safety and for Good City Governance

There are a number of factors that contribute to an individual's feelings of safety in public streets and places. Council's Newcastle After Dark Strategy (2018-2022) has considered perceptions of public safety within the city and which key findings are detailed in the Stage 1 ARA Report.

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 irresponsible consumption of alcohol can also result in an amenity issue, with complaints from nearby residents not being uncommon. The mapping of AFZs and APA's is an acknowledged useful tool for residents who like to be able to call Police if an issue crops up.

The public consumption of alcohol in Newcastle is currently regulated by adoption and enforcement by Newcastle Police of Alcohol Free Zones and Alcohol Prohibited Areas. Within NSW, Police are focussed on reducing levels of antisocial behaviour and community perceptions and fear of crime. Police note that the community has a reasonable expectation that public spaces are safe to use.

As an accepted best practice principle it is important that enforcement of any adopted ARA for CN does not disproportionately impact on people experiencing homelessness or in a way that seeks to unfairly restrict the use of public space by persons from lower socio-economic demographics, including those living in public housing areas.

Key AFZ and APA Evaluation Criteria

When undertaking a review of ARA's the following key questions are identified, consistent with the Ministerial Guideline, 2009.

- What were the factors which originally supported a zoning in that area?

- How successful was the previous alcohol-free zone/alcohol prohibited area in achieving a reduction in unacceptable street drinking?
- What do police statistics indicate about the value of re-establishing an alcohol-free zone in that area?
- What other measures may need to be considered (eg. a community education program) if unacceptable street drinking is still of concern in that area?
- Have community perceptions of safety improved?

The re-establishment procedure provides CN with the opportunity to focus on any community problems associated with irresponsible alcohol consumption and the range of strategies that may be implemented to address these problems.

Pedestrians in the Newcastle CBD Source: All About Planning Pty Ltd

E. Ensure a Link between AFZ's, APA's and the Occurrence of Irresponsible Behaviour

There are a number of key users of streets and public open spaces with CN. These users are discussed in detail in the Stage 1 ARA Report, as their behaviours are often a trigger for the adoption of an ARA.

As demonstrated in the Stage 1 ARA Report, whilst AFZ and APA designations do not act in themselves to prevent high rates of harmful behaviours, they are a useful available tool preferred by NSW Police to assist in controlling the irresponsible public consumption of alcohol.

What alcohol related crime data suggests is that violent or aggressive behaviour which results in the police attending the scene occurs in people's homes as well as outdoors. However in some locations a preponderance of these crimes in Newcastle are committed outdoors in public places. This linkage has been clearly established in the Stage 1 ARA Review Report.

F. Confiscation of Alcohol

The Stage 1 Report of this ARA Review sets out the legal mechanisms available to police and any Council officers (if they were to be authorised for enforcement of ARA's by the NSW Police Commander) to confiscate and dispose of alcohol if there is a breach of an alcohol consumption prohibition.

Police move on powers are viewed differently to enforcement of an AFZ or APA. AFZ/APAs provide Police with a 'soft' regulatory lever to assist in the control of irresponsible public space drinking, preferred over harder offence levers including Move on Directions given to an intoxicated person.

Overall the adoption of ARA's are considered to be an appropriate tool in the backpack of police, to assist in the management of the consumption of alcohol in the public domain.

3.0 STAKEHOLDER CONSULTATION AND FEEDBACK

Community and stakeholder engagement is required 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 preparing an ARA proposal a Council must consult with the NSW Police Local Area Commander.

Once the proposed ARA network has been drafted the following persons are identified as key stakeholders to be consulted during the public exhibition period, consistent with the Act and Ministerial Guidelines, to inform the content and recommendations of the ARA Review.

Required Stakeholders (NSW Local Government Ministerial Guidelines on Alcohol Free Zones 2009):

- The Newcastle Police Local Area Commander -
- 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")
- 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

A Stakeholder Consultation Plan was prepared as part of the Stage 1 ARA Report.

A summary of responses now received from key stakeholders is included below:

NSW 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 within the CN.

NSW Police Force

Detailed consultation with NSW Police occurred during preparation of the Stage 1 Report (September 2021) and during the public exhibition (December 2021). NSW Police advice has been taken into account in informing review recommendations, process improvements and drafting a further four-year term (to 2025).

NSW Police consultation comments r3ceived during Stage 1 of the ARAR Project are summarised below:

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- ARA's have clear value for the community and for NSW Police
- Adoption of APAs and AFZs gives Newcastle Police something tangible to point to and reference when engaging with non-compliant and/or intoxicated persons in public places and streets

- Reasonable provisions are supported to permit public picnicking, including responsible consumption of alcohol in those locations

- At this stage the prohibitions on public alcohol consumption over key public holiday periods is agreed to be lifted, provided the standard timed controls of 8pm – 8am prohibition are still retained for key picnic spots.

- It is agreed to not map sports fields as an APA at this time, unless there is a particular identified hotspot in that location, as consumption of alcohol in these areas is regulated through Council's standard sports field use agreement and the NSW Liquor and Gaming Authority.

- Police would welcome specific targeted additional consultation with the ARA project consultants and Council including during Stage 3 of this project, with a focus on pedestrian 'migration paths' and 'points of clustering' to ensure identified proposed signage locations for the updated network will suit specific on the ground requirements and reflect local police knowledge of public behaviour within the CN.

The approval of the Local Area Commander is to be sought following public exhibition of the ARA network and this is provided at Appendix 2.

CN Community Submissions

The proposed updated ARA Network was placed on public exhibition for 30 days in November-December 2021.

The following key community responses were received:

- Add key responses here
- Feedback to be added when received.

Housing Services – Hunter (Department of Communities and Justice)

A formal preliminary consultation request was forwarded in September 2021 to Housing Services – Hunter (Department of Communities and Justice), requesting their input to the ARA Review. A response was received on 30th September 2021 incorporating the following key comments:

- Alcohol Regulated Zones contribute to provision of a safe and regulated framework within which Police can act when required, to manage problems related to public drinking. Communities feel a

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sense of safety within these boundaries and expected behaviours are made clear. ARZs help send a message to the community that public drinking and the problems connected to this are not acceptable and this will be reinforced by police.

- The more AFAs / AFZs in proximity to DCJ complexes the better as they should assist by reducing antisocial behaviour.

- The day to day work of DCJ Housing staff does not necessarily overlap situations in which active policing of the AFZs and ARAs takes place.

- Alcohol use / abuse is often a factor in the majority of anti-social related behaviour based complaints received by the Newcastle Tenancy Team. These complaints are largely neighbour related and not necessarily related to street drinking situations and range from noise disturbances, verbal abuse, domestic violence issues and other assault matters.

- Current ARA signage is clear and effective in terms of simplicity and clarity. The reality is sometimes that the people these signs attempt to target may have minimal regard for these and other laws and will only change their behaviour if they are forced to through active law enforcement.

- Some more vulnerable public housing clients are fearful of leaving their units at night. Lifting the alcohol free areas can't improve that situation.

- Regarding discrimination of street drinkers, alcohol free areas may discourage them from street drinking in an area where they may be vulnerable i.e. targeted for assault/harassment. The last place you want street drinkers drinking is in an area with higher crime rates/drug use. So leaving alcohol free zones in place will encourage them to sleep/drink elsewhere.

- Active Patrol and enforcement of the zones at night would add to the sense of security for the law abiding citizens of public housing estates and improve the perception of safety.

- Department of Communities and Justice has no trepidations in relation to potential discrimination concerns. It is felt that it is perhaps a question of reasonable enforcement and discretion with insight into the underlying issues driving public drinking behaviour.

- Most Public Housing residents support AFZ and APA controls in proximity of their dwellings. Upwards of 90% of Public Housing tenants are generally law abiding citizens and support all law and order efforts. DCJ, Police and other agencies spend a disproportionate amount of time and resources on the 5 – 10 % who show little or no regard for laws.

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- Continued restrictions and police presence is considered to be the key to the effectiveness of an ARA approach.

Representatives of local peak Aboriginal groups

A request for formal preliminary consultation with the two LALC's was forwarded in September 2021 requesting input to the ARA Review. A response is yet to be received.

Feedback to be added when received.

Anti-Discrimination Board

Formal consultation with the NSW Anti-Discrimination Board is required and will be initiated requesting their input to the ARA Review at the end of the formal public consultation period. Copies of submissions received by Council will be provided to the Anti-Discrimination Board.

Additional Consultation

CN Internal Staff

During the preparation of the ARA Review consultation with the following internal Council Staff was undertaken and their advice has been incorporated into the analysis and recommendations of the project:

- Chief Ranger, CN
- Outdoor Trading Officer, CN
- Senior Business Support Officer, CN
- Special Events Team, CN
- Social Planner, CN
- Parks and Recreation Team (Community Land Plan of Management), CN

Newcastle Liquor Accord Members

The Newcastle Liquor Accord will be included in the public exhibition of the ARA Review in November-December 2021 with their feedback to be added when received.

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4.0 ARA REVIEW RECOMMENDATIONS

The following specific recommendations are made in light of the ARA Review, differentiated into:

- Physical and Mapped Network Recommendations
- Administration and Communication Recommendations
- Ongoing Monitoring Recommendations

ARA NETWORK RECOMMENDATIONS

KEY ARA Network recommendations for the CN are:

- Adopt a precinct based approach for CN's larger AFZ and APA's spanning multiple streets/roads, with boundaries aligned to licensed premises and that reflect updated relevant alcohol related crime mapping. Some individual AFZ mapping should still be retained where there is a single or small number of licenced premises that warrant an AFZ.
- When determining "Alcohol Free" precinct boundaries, ensure perimeters are aligned with licensed premises and hotspot mapping rather than extending the ARA well beyond these premises. This will address potential discrimination issues associated by AFZ/APA's.
- Map ARA's including the following: Newcastle CBD, Hamilton and Hamilton South, Mayfield including Webb Park, all Beaches, Skateparks, Hunter Foreshore, Nobbys Foreshore Park, Stockton Foreshore, King Edward Park and Wallsend (refer proposed network maps found at Appendix 1).
- AFZ's around train stations are to be retained. In the instance of Hamilton and Newcastle West these are to be part of a precinct approach. In addition AFZ's should be retained around other key transport nodes.
- Key public areas not included in the proposed ARA network are playgrounds, and for sports fields and parks, only those currently mapped as an APA and which fall within a BOCSAR crime hotspot will be retained.
- Improve ARA signage clarity and reduce signage clutter. Use standardised new larger signage that is more picture and/or map based at the entry to all ARA precincts and other key locations within identified precincts, including footpath signage, free standing electronic signs and signage on garbage receptacles where possible, to reduce overall signage clutter and improve legibility.
- Respond to day time habitable street drinking as a public health issue rather than a criminal issue.
- Facilitate opportunities for picnicking by adopting timed restrictions prohibiting the public consumption of alcohol from 8pm through to 8am for all key picnic spots throughout the city.
- All other targeted APA's will have a blanket prohibition applied on the consumption of alcohol based on NSW Bureau of Crime Statistics and Research (BOCSAR) hotspot mapping.
- Administratively, that delegation be granted to the CN Director S&E for the determination of applications for variations of APA and AFZ's in order to run temporary special events in public places

4.1 The Proposed Network

ARA Precincts RECOMMENDATION:

The following ARA Precincts are recommended:

- **Newcastle West, Newcastle Central and Newcastle East** (extending east from Stewart Avenue from the rail interchange to the eastern beaches) and south down to Laman, Tyrrell and Church Streets at Cooks Hill,
- **Darby Street and Cooks Hill** bounded by Laman St in the north Parkway Ave in the south, Bruce St in the west and Light, Nickson, Greenslope and Brooks Streets in the east.
- **Beaumont Street and Hamilton** bounded by Veda Street in the south, The Avenue and Islington Park Islington Park in the north, Steel and Samdon Streets in the west, Lawson, and Echo Streets and Roslyn Ave in the east,
- **Hamilton South** bounded by Glebe Rd in the south, Darling and Hibberd Streets in the north, Chatham St in the west and Beaumont St in the east,
- **Stockton**, from Hunter and Wharf Streets in the south, King St in the north, Punt Rd in the west, and Pitt St in the east, in addition to the Stockton foreshore (south of King St),
- **Wallsend** bounded by Thomas St and Lake Rd in the south, Nelson, Cross and Charles Streets in the north, Devon St in the west and Brooks, Metcalfe and Irving Streets in the east
- **Mayfield**, covering the key licenced premises and including Webb Park bounded by Macquarie, Barclay and Newcastle Streets in the south, John and Crebert Streets in the north, Texas, Fitzroy and Gamack Streets in the west, and Church St in the east.

Site specific proposed additions to the existing ARA network include:

- Brae Park, Waratah West – an area of concern to CN staff and NSW Police
- Webb Park, Mayfield – an area of concern to CN staff and NSW Police, being in proximity of a number of licenced premises and a known hotspot for alcohol related crime.
- Darling Street Oval – being in the midst of a mapped assault (non-domestic) hotspot and which is already signposted as a timed APA but not actually GIS mapped as such.

The above proposed key changes to the existing ARA network are detailed in the precinct maps provided in Appendix 1.

Skateparks RECOMMENDATION:

1. That all skate parks within the CN be mapped as an APA, in recognition of the need to provide safe spaces for children and teenagers to recreate and socialise within the LGA.

Alcohol Related Crime and Anti-Social Hot Spots RECOMMENDATION:

1. That the areas within and adjacent to licensed premises including packaged liquor outlets be regulated through either an AFZ or APA, especially where hotspot mapping of assaults (non-domestic) or malicious damage indicates a significant number of incidents.

2. 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.

3. Where there is a cluster of licenced premises and a broad hotspot, a larger area will be adopted covering all streets and spaces within that precinct and which will prohibit consumption of alcohol in that area (both local streets and other public areas).

4. Outside AFZ areas the current individual street based controls are to be retained if there is considered to be a justifiable need for retention of that AFZ due to the location of a licenced premises or if a BOSCAR malicious damage or assault (non-domestic) hotspot is identified.

Picnickers RECOMMENDATION:

1. Provision for picnicking is to be retained in the updated ARA network by permitting public consumption of alcohol in key picnic spots throughout the city by retaining timed restrictions prohibiting the public consumption of alcohol between 8pm and 8am.

2. The following key picnic spots are identified:

   - **King Edward Park** – King Edward Park is currently mapped as an APA with the exception of one smaller area at the top adjacent to the public road – there is a small section of the park that is not mapped as an APA. Council has confirmed that this area is owned by the Awabakal LALC. There is no current identified malicious damage or assault (Non-Domestic) hotspot at King Edward Park. NSW Police considers this could indicate that the existing timed restrictions are having a positive effect.

   - **Hunter River Foreshore**, Wharf Road edge up to and including Nobby's and Horseshoe Beach. The Hunter River Foreshore currently has a timed APA from 8pm – 8am and also an additional 24/7 prohibition for key holidays. Horseshoe Beach is not a mapped APA and neither is **part** of the adjacent park. Conversely the carpark is mapped as an AFZ but there is currently no signage, and the foreshore area in front of the SLSC has at least two conflicting signs indicating earlier AFZs but the area is not currently mapped. The area in front of the SLSC is an appropriate area for an APA because it is not a roadway and there is a low level assault (Non-Domestic) hotspot. The carpark has no record of being a malicious damage hotspot and

part of the carpark is mapped as a low level assault (Non-Domestic) hotspot. The majority of the Hunter River Foreshore is mapped as a high malicious damage hotspot and the majority of this foreshore is also mapped as a high level assault (non-domestic) hotspot.

- **Bar Beach Hill** – the north easterly end of Bar Beach (south of carparking area) is not currently a mapped APA – and the adjoining walkway is not mapped either. There is no current identified malicious damage or assault (Non-Domestic) hotspot at this elevated area however for sake of consistency with the adjacent mapped areas a timed APA is proposed.

- **Stockton** – Identified key streets, Hunter River Foreshore and Skate Park area. There is a high malicious damage hotspot at Stockton. An area wide AFZ is proposed south from and including King Street and an APA (as requested by NSW Police) is proposed around the foreshore.

- **Fort Scratchley** - is currently a timed restriction of 8pm – 8am except key public holidays when there is a 24/7 prohibition. There is a low assault (non-domestic) hotspot at Fort Scratchley therefore the existing timed APA is proposed to be retained.

- **Centennial Park**, Cooks Hill – is within a high malicious damage hotspot and a moderate level assault (non-domestic) hotspot. The existing timed APA is proposed to be retained.

- **Nesca Park**, Bar Beach - is partly within a high malicious damage hotspot and a moderate level assault (non-domestic) hotspot. The existing timed APA is proposed to be retained.

- **Civic Park** - is partly within a high malicious damage hotspot and a high level assault (non-domestic) hotspot. The existing timed APA is proposed to be retained.

- **Foreshore Park**, Newcastle East - is currently a timed 8pm – 8am APA and APA for key public holidays and falls within a high to low malicious damage hotspot and assault (non-domestic) hotspot. The existing timed APA is proposed to be retained.

- **Pacific Park**, Newcastle East - is within a high malicious damage and assault (non-domestic) hotspot. The existing timed APA is proposed to be retained.

- **Islington Park,** Islington – which is currently a timed 8pm – 8am APA and which park ranges from a medium and high level malicious damage hotspot and a medium to low assault (non-domestic) hotspot. The existing timed APA is proposed to be retained.

- **Gregson Park,** Hamilton – the timed APA 8pm – 8am is proposed to be retained. This park is mapped as a high level malicious damage hotspot and a high assault (non-domestic) hotspot.

Sports fields RECOMMENDATION:

1. Only those existing sports fields currently mapped as an APA and which fall within a mapped high level alcohol related crime hotspot will be retained as a mapped APA under the new network. Alcohol consumption at sports fields is already regulated through the CN standard Sporting Licence Agreement for the use of Sports fields and through the issue of either a Temporary or Permanent Function Licence from Liquor and Gaming NSW.

2. Any picnic areas or skateparks within existing sports fields can be separately addressed as needed through the recommended special picnic and skatepark provisions (refer above).

Public Health Response RECOMMENDATION:

1. Respond to day time habitual drinking as a public health issue rather than a criminal issue. Complement ARA's by developing street drinking reduction and interventions, youth engagement, and outreach initiatives that address root causes of alcohol dependency and vulnerability.

2. The application of the ARA network should not be discriminatory in nature. Disproportionate impacts of AFZ/APA's on vulnerable groups should be avoided to address potential discrimination and inconsistencies of enforcement.

Site Specific Proposed Deletions RECOMMENDATION:

Site specific proposed deletions to the APA and AFZ network include:

- Adamstown Park (managed via CN Sports)
- Lambton Park, Lambton - is currently a timed APA 8pm – 8am. The northern part of this park is mapped as a low level malicious damage hotspot but NSW Police do not consider this Park to be a key public irresponsible consumption of alcohol area.
- Strzelecki Elevated Walkway/Memorial Walk – the walkway is currently signposted as a 'no alcohol' area but is not actually mapped on CN's GIS network as an APA. The carpark at the top end of the Memorial Walk is partly mapped as AFZ but there is no actual sign for this AFZ and the other section of the carpark is not mapped or signposted. There is no current identified malicious damage or assault (Non-Domestic) hotspot at the Memorial Walkway or Lookout.
- Carrington AFZ – no significant NSW Police concern
- Kooragang AFZ – no significant NSW Police concern

4.2 Administration RECOMMENDATIONS

1. New signage is to be designed and erected to reflect the updated ARA network which makes better use of symbols and maps with improved clarity, reduces written content and which signage is

focused at the entry points to key precincts and at reasonable key intervals within that area. Use standardised new larger signage, including footpath signage, free standing electronic signs and signage on garbage receptacles where possible, to reduce overall signage clutter and improve legibility.

2. CN grant delegation to key CN staff to process temporary AFZ lifting of prohibitions /approvals without the requirement for preparation of a formal report to Council for each event. Internal delegations to staff are required to allow more timely consideration of variations to ARA controls for special events within AFZ's, as is the undertaking of a regular review of the performance of ARA's within CN.

3. Council's Newcastle After Dark Strategy (2018-2022) reviews should continue to assess perceptions of public safety to assist the ongoing review of the CN's ARA's.

4. Requests for new AFZ/APAs (e.g. by the community, interested persons) to be assessed against developed criteria (refer appendix xxx to be completed post public exhibition).

5. CN to develop a one page ARA request form for use by the community or other interested persons who are seeking to extend or impose a new ARA within the LGA. The form should confirm CN key evaluation criteria for adoption of a new APA or AFZ, set out likely timeframes for consideration of the request and relevant reporting requirements.

6. ARA maps and locations to be listed on CN website to facilitate implementation of the updated network.

4.3 Monitoring RECOMMENDATIONS

1. CN should capture/record the number of ARA complaints and requests received from the community, even when these are referred to NSW Police. This will provide a simple indicator of community sentiment regarding ARA's within CN over time.

2. CN should continue to monitor/measure community perceptions of safety as this parameter is specifically referenced in the Ministerial Guidelines.

3. That the Newcastle After Dark Community Survey be conducted annually to continue to monitor public perceptions of safety within the CN and participation within the night time economy.

5.0 CONCLUSION

The preceding report has undertaken a review of the approximate 170+ AFZ and 37 APAs contained within the CN LGA, extending from Maryland, Elermore Vale, Stockton, Merewether and Newcastle East.

As outlined in the review, these ARA's are designed to prevent anti-social and irresponsible behaviour related to alcohol consumption in public areas like streets, footpaths (excluding approved outdoor trading areas), public parks, beaches and reserves. These areas have been reviewed and this Stage 2 report sets out recommendations for a further four-year term (to 2025) for CN.

The key recommendations of the subject ARA Review include:

- The adoption of a precinct based approach for CN's larger AFZ and APA's spanning multiple streets/roads, with boundaries aligned to licensed premises and that reflect updated relevant alcohol related crime mapping.

- New ARA's precincts including the following: Newcastle CBD, Hamilton and Hamilton South, Mayfield including Webb Park, all Beaches, Skateparks, Hunter Foreshore, Nobbys Foreshore Park, Stockton Foreshore, King Edward Park and Wallsend.

- The improvement of ARA signage clarity and reduce signage clutter. Use standardised new larger signage that is more picture and/or map based at the entry to all ARA precincts and other key locations within identified precincts, including footpath signage, free standing electronic signs and signage on garbage receptacles where possible.

- Respond to day time habitable street drinking as a public health issue rather than a criminal issue.

- Facilitate opportunities for picnicking by adopting timed restrictions prohibiting the public consumption of alcohol from 8pm through to 8am for all key picnic spots throughout the city.

APPENDIX 1:

MAPS OF PROPOSED ARA NETWORK

The following ARA proposed precinct maps have been prepared to illustrate the scope and detail of the key proposed ARA network:

- CBD East, West and Central
- Darby Street and Cooks Hill
- Beaumont Street and Hamilton
- Hamilton South
- Stockton, that area south from and including King Street
- Wallsend, the main street including all key licenced premises
- Mayfield, covering the key licenced premises and including Webb Park

The above proposed key changes to the existing ARA network are detailed in the following precinct maps, consistent with the recommendations of Section 4 of this Stage 2 ARA Report.

City Newcastle Alcohol Regulated Areas Review 2021

Proposed Newcastle Alcohol Regulated Areas overlaid on existing ARA mapping

Proposed Alcohol Free Zone

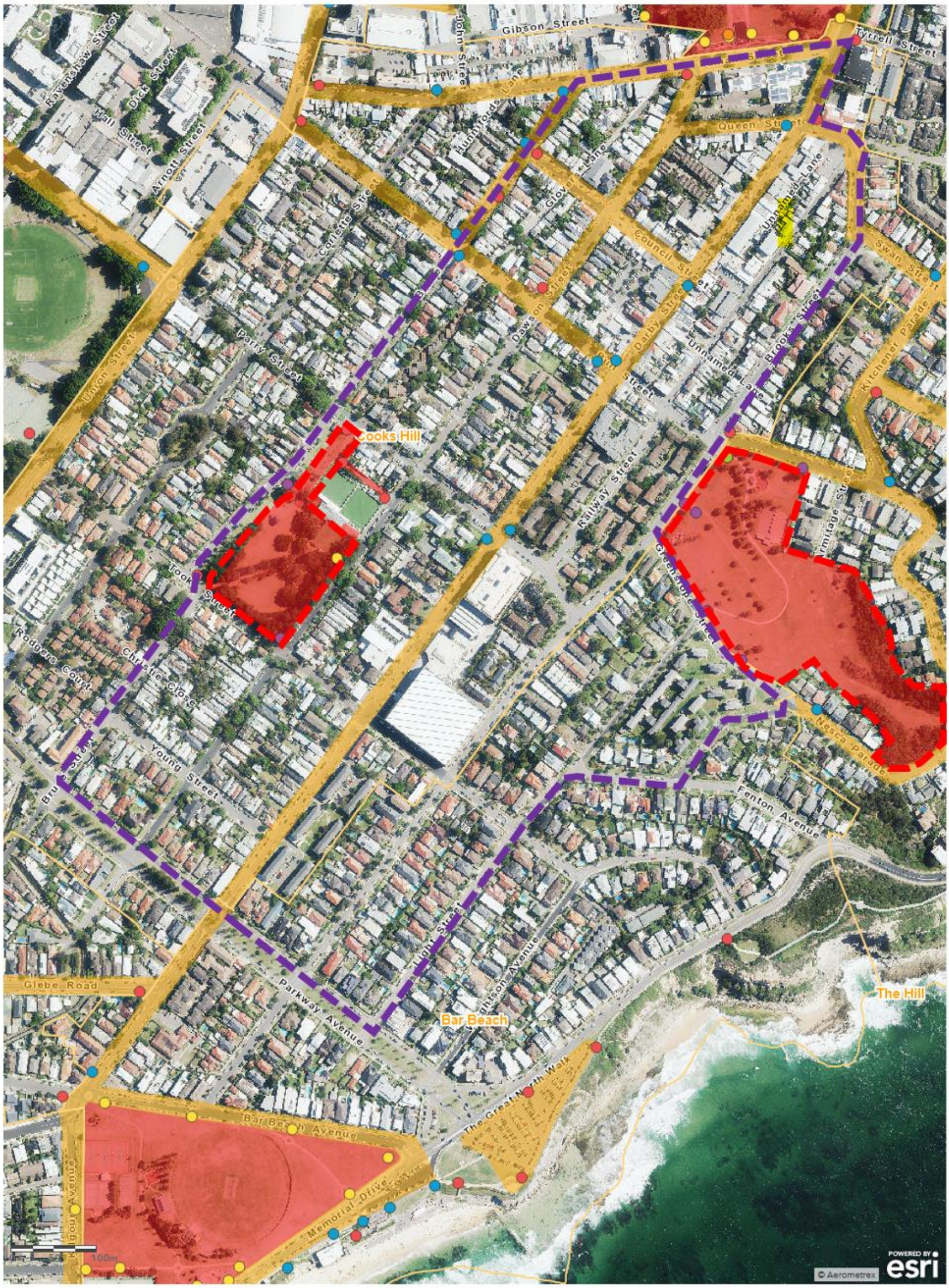
Proposed Alcohol Prohibited Area

Existing Alcohol Free Zone

Existing Alcohol Prohibited Area

City Newcastle Alcohol Regulated Areas Review 2021

Proposed Darby Street Alcohol Regulated Areas overlaid on existing ARA mapping



Proposed Alcohol Free Zone

Proposed Alcohol Prohibited Area

Existing Alcohol Free Zone

Existing Alcohol Prohibited Area

City Newcastle Alcohol Regulated Areas Review 2021

Proposed Stockton Alcohol Regulated Areas overlaid on existing ARA mapping

Proposed Alcohol Free Zone

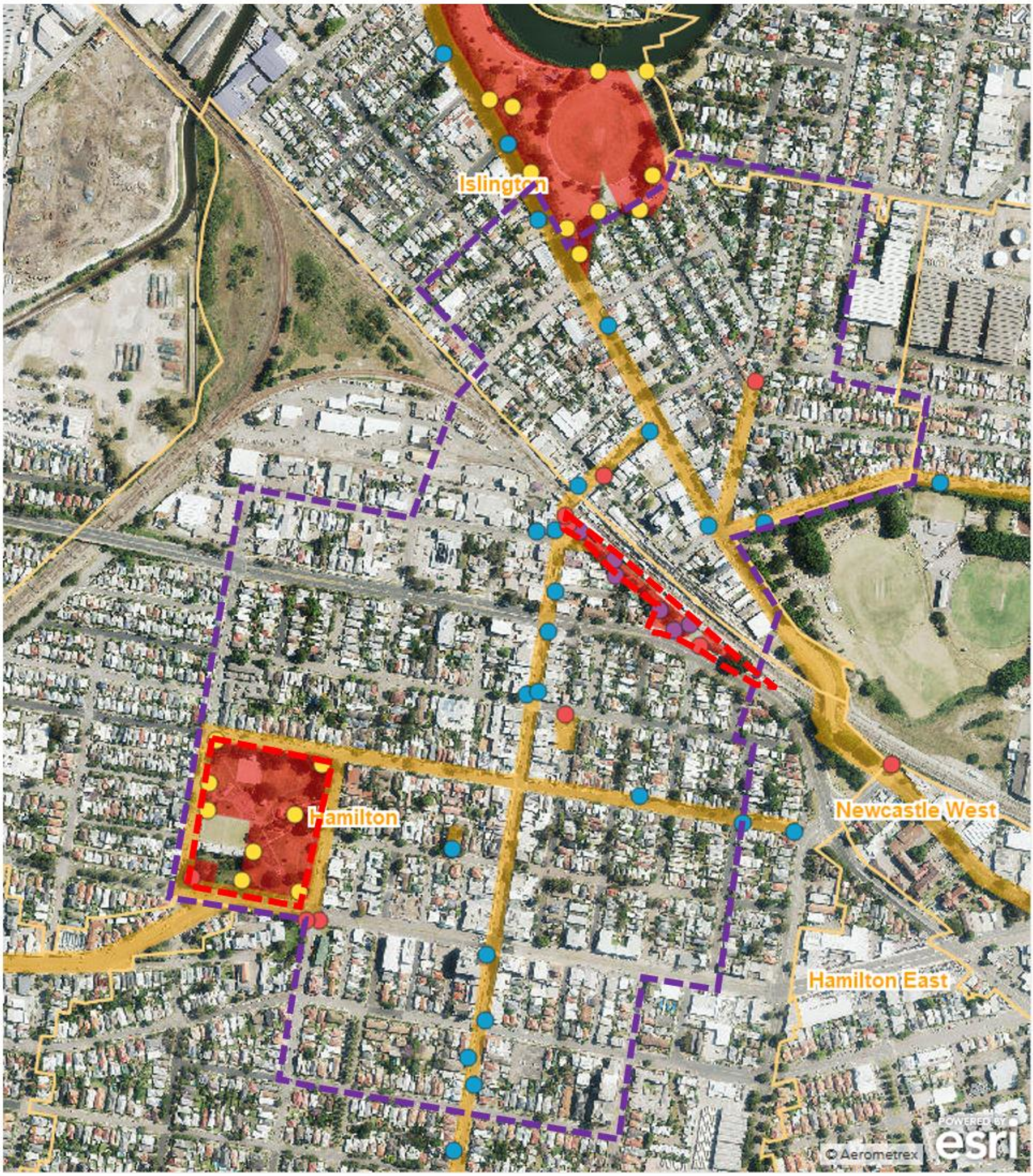
Proposed Alcohol Prohibited Area

Existing Alcohol Free Zone

Existing Alcohol Prohibited Area

City Newcastle Alcohol Regulated Areas Review 2021

Proposed Beaumont Street Alcohol Regulated Areas overlaid on existing ARA mapping



Proposed Alcohol Free Zone

Proposed Alcohol Prohibited Area

Existing Alcohol Free Zone

Existing Alcohol Prohibited Area

City Newcastle Alcohol Regulated Areas Review 2021

Proposed Hamilton South Alcohol Regulated Areas overlaid on existing ARA mapping

Proposed Alcohol Free Zone

Proposed Alcohol Prohibited Area

Existing Alcohol Free Zone

Existing Alcohol Prohibited Area

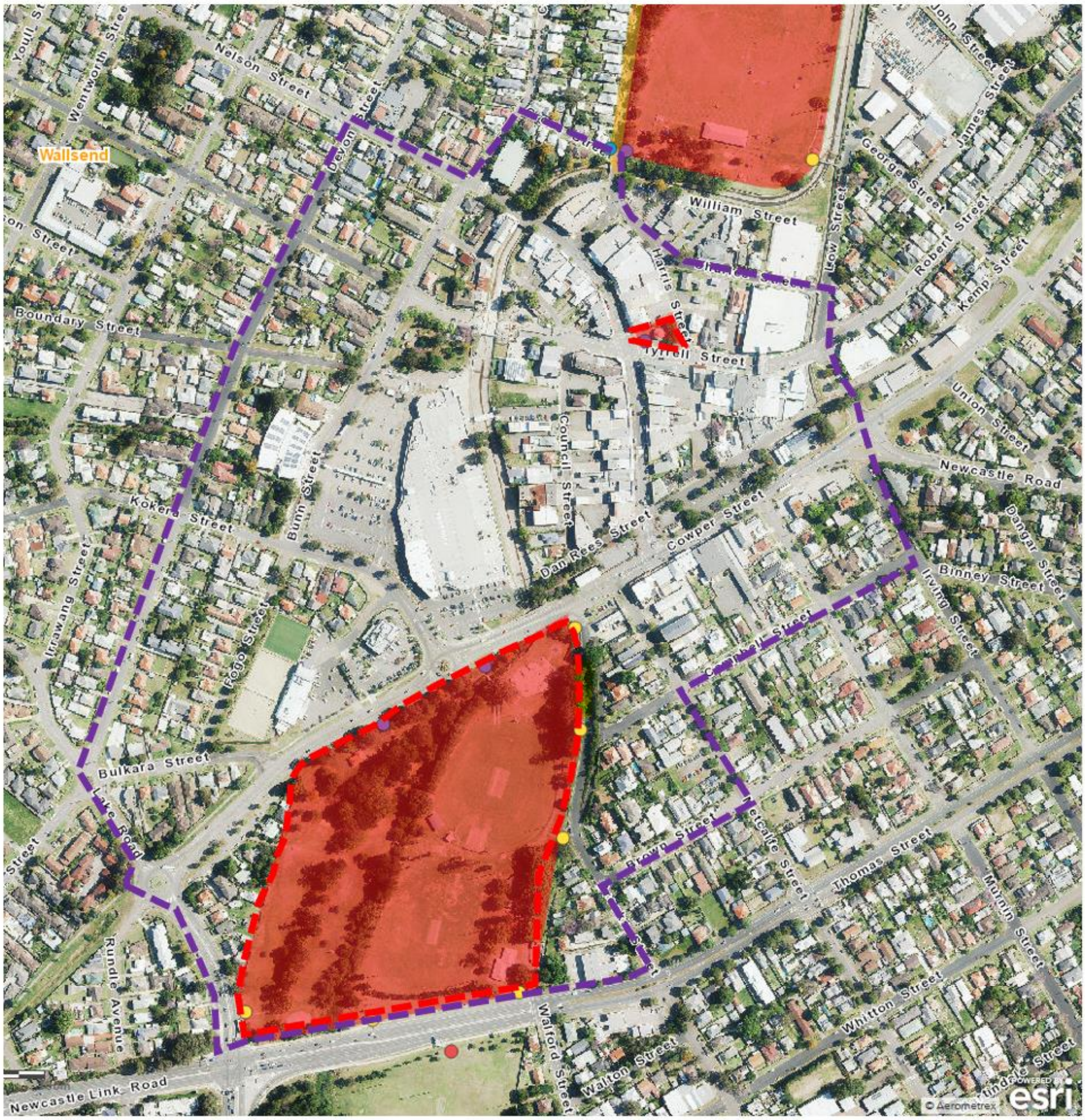
City Newcastle Alcohol Regulated Areas Review 2021

Proposed Mayfield Alcohol Regulated Areas overlaid on existing ARA mapping

Proposed Alcohol Free Zone **Proposed Alcohol Prohibited Area** **Existing Alcohol Free Zone** **Existing Alcohol Prohibited Area**

City Newcastle Alcohol Regulated Areas Review 2021

Proposed Wallsend Alcohol Regulated Areas overlaid on existing ARA mapping



Proposed Alcohol Free Zone

Proposed Alcohol Prohibited Area

Existing Alcohol Free Zone

Existing Alcohol Prohibited Area

APPENDIX 2:

NSW POLICE APPROVAL OF UPDATED NETWORK

TO BE FINALISED FOLLOWING PUBLIC EXHIBITION PERIOD