

Proposal to Establish an Alcohol-Free Zone – 2019
Within Wharf Street (between Bay Street and Kennedy Drive), River
Terrace, and Terranora Terrace, Tweed Heads, Tweed Shire

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1. Alcohol-Free Zone

An alcohol-free zone is a means by which Council may limit the locations where the consumption of alcohol is permitted.

The principal objective of an alcohol-free zone is to prevent disorderly behaviour caused by the consumption of alcohol in public areas in order to improve public safety. Alcohol-free zones are an early intervention measure to prevent the escalation of irresponsible street drinking to incidents involving serious crime.

Drinking of alcohol is prohibited in a zone that has been established by Council. These zones are enforced by NSW Police.

Alcohol-free zones can include public places such as public roads, footpaths, or public car parks and promote the use of these areas in safety and without interference from irresponsible street drinkers.

Council approved footpath alfresco dining areas are not included within the alcohol-free zones. These areas are clearly delineated by Council placed footpath markers. Businesses operating outside of these markers may expose their patrons to the regulatory provisions.

Alcohol-free zones can also be varied or suspended for special circumstances with the approval of Council's General Manager, and are separate from alcohol prohibited area signage within recreational areas such as sportsgrounds, parks, and reserves.

2. Existing Alcohol-Free Zone

Council's existing alcohol-free zones are due to expire on 1 December 2021.

Alcohol-free zones can be in force for a maximum duration of four (4) years, although they may be re-established at the conclusion of the original period.

To establish an alcohol-free zone Council must comply with the procedures in sections 644 to 644C of the *Local Government Act* and the Ministerial Guidelines on Alcohol-Free Zones (2009).



3. Establishing an Alcohol-Free Zone

A proposal to establish a zone must address the following matters:

3.1 Reasons to Support the Alcohol-Free Zone

The irresponsible consumption of alcohol on roads and footpaths and in public car parks can compromise their safe use by members of the public without interference.

Reasons stipulated must reflect the fact that irresponsible behaviour arising from the consumption of alcohol is occurring on those roads and footpaths and in those public car parks. This could include instances of obstruction, littering, the actual commission of, or police intervention to avoid the commission of, more serious offences under the *Law Enforcement (Powers and Responsibilities) Act 2002*, *Summary Offences Act 1988*, or the *Crimes Act 1900* such as malicious damage.

3.2 Location of the Alcohol-Free Zone

An alcohol-free zone may only be established to include a public road, footpath, or a public place that is a car park (i.e., car parks on public land or Crown land).

3.3 Duration of the Alcohol-Free Zone

An alcohol-free zone may be established for a maximum period of four years. Once established, it applies twenty-four hours per day.

Where a problem with irresponsible street drinking exists only in relation to a special event within the local area, an alcohol-free zone may be established only for that special event. An alcohol-free zone declared for a special event also has a maximum duration of four consecutive years.

3.4 Consultation with the Police

In preparing a proposal to establish an alcohol-free zone Council must consult with relevant NSW Police Local Area Commander about the appropriate number and location of alcohol-free zones.

4. Proposed Alcohol-Free Zone

4.1 Tweed Heads

Reasons to Support the Alcohol-Free Zone

- Increased alcohol consumption;
- Increased anti-social behaviour; and
- Police intervention.

Location of the Alcohol-Free Zone

- Wharf Street between Bay Street and Kennedy Drive;
- River Terrace; and
- Terranora Terrace.

Duration of the Alcohol-Free Zone

- 24 hours per day, all days

Consultation with the Police

- Ongoing



5. Application for an Alcohol-Free Zone other than proposed

One or more of the following people may make application to Council to establish an alcohol-free zone:

- a person who is a representative of a community group active in the area;
- a police officer; or
- a person who lives or works in the area.

A proposal to establish an alcohol-free zone must be supported by evidence that the public's use of those roads, footpaths, or public car parks has been compromised by street drinkers. For example, there could be instances of malicious damage to property, littering, offensive behaviour or other crimes.

An application to Council is to be made in the form set out at the end of this document. An application fee is not required. If Council receives more than one application referring to the same roads, footpaths, or public carparks, they may be joined in a single alcohol-free zone proposal.

6. Application Form

APPLICATION FOR ALCOHOL-FREE ZONE

(Local Government Act 1993, section 644)

To Tweed Shire Council

1. I
(Full Name)

2. of
(Address) (Telephone No.)

3. **Being** (tick appropriate box):

- a) a representative of
(Name of Community Group in area)
- b) a police officer stationed at
- c) a person living in the area
- d) a person working in the area at
.....
(work address)

apply to the Council to establish an alcohol-free zone.

4. **Roads or parts of roads ('roads' includes 'footpaths') and/or public carparks to be included in the alcohol-free zone:**

.....
.....
.....
.....
(Specify exactly by referring to street numbers or other landmarks)

5. **Reasons for requesting the alcohol-free zone:**

.....
.....
.....

(Give details of obstruction, littering, personal injury, property damage, police intervention, etc. that have occurred on those roads or in those carparks)

Signed.....

Date.....

Documents supporting the information on this form may be attached.



TWEED

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