

ITEM 6 OSBORNE PARK ALCOHOL PROHIBITION

Council at its meeting on 3 September 2018 requested that nearby residents and occupiers of Osborne Park be contacted by mail to inform and seek their views regarding the proposal to establish the park as an Alcohol Prohibited Area. Over 600 letters were forwarded to residents/occupiers advising of the proposed alcohol prohibition with an invitation to provide feedback. Council received 38 submissions with 84% supporting the proposed Alcohol Prohibited Area.

RECOMMENDATION

Council endorse Osborne Park becoming an Alcohol Prohibited Area with signs erected to advise the public.

REPORT AUTHORISATIONS

Report of: Sofia Gibson, Manager Community Cultural and Economic Development (Acting)
Authorised by: Kerry Hunt, Director Community Services - Creative and Innovative City

ATTACHMENTS

- 1 Proposed Alcohol Prohibited Area - Osborne Park Wollongong

BACKGROUND

Alcohol Prohibited Areas (APAs) are separate to Alcohol Free Zones (AFZs). An APA resides in a park, reserve or beach, while an AFZ applies to footpaths and road reserves only. APAs do not have an expiration date and do not require a Council resolution to cancel or suspend for short periods of time. Should events occur where alcohol may be involved, eg wine tasting, an APA sign should be covered for the duration of the event and event approval protocols followed.

Council has recently undertaken its four-yearly Alcohol Free Zone review. Throughout this process there were no requests for additional AFZs or changes to existing AFZs. The only additional request received was the proposal to declare alcohol prohibition in Osborne Park.

Osborne Park is located on a main arterial road and acts as a thoroughfare between Campbell Parade and Cliff Road. The park is well maintained and frequently used by tourists and locals. Four picnic shelters are located within the park and a Council storage building in the south western corner which has large trees overshadowing (trimmed recently). This space is sometimes used as a urinal and to hide antisocial behaviour. A Sydney Water maintenance building is fenced and located in this same area.

In February this year residents adjacent to Osborne Park contacted Council regarding anti-social and threatening behaviour from groups of people drinking in the picnic shelters at the park. A request to meet with Council officers was made to look at ways to prevent and reduce these behaviours. A Community Safety Audit was undertaken on 23 March 2018 with Wollongong Police, Paul Scully MP and affected residents. It was reported that levels of anti-social behaviour in the form of public drunkenness, fights and aggressive shouting was occurring regularly in the park in the summer months. In February 2018 the behaviour escalated to one man scaling a barrier wall to enter a private property. As a result of the Community Safety Audit it was proposed that the park become alcohol prohibited with signs erected to support actions undertaken by Police to reduce public drunkenness. Some trees were trimmed near the Council building which will be reviewed again before summer.

Further information was requested following the Councillor Briefing on 6 August 2018, which informed Councillors about the Alcohol Free Zone Review, and subsequent proposal for alcohol prohibition in Osborne Park. Consideration for the possibility to declare alcohol prohibition from 'sunset to sunrise' was suggested and further information was requested relating to frequency and timing of incidents in this park.

Information was sought from Wollongong Police to clarify the intensity of the behaviour occurring in Osborne Park. While NSW Police are unable to publicly release statistics the reported incidents were reviewed over a period of two years.

Wollongong Police (in August 2018) highlighted that while there have been no incidents reported to Police since February 2018 (which is not to say they have not occurred) the prevalence occurs during the summer months. Over the summer months the Police informed the majority of incidents reported have involved anti-social behaviour, intoxication and offensive language. The majority of the incidents are occurring from 11am to 5.30pm with a few in the evening between 7pm – 11pm. Police informed they 'strongly oppose' alcohol prohibition from sunset to sunrise as the majority of offences are occurring during the day or early afternoon.

Council on 3 September 2018 requested that residents and occupiers nearby Osborne Park be contacted by mail to inform and seek their views regarding the proposed alcohol prohibition. Over 600 letters were forwarded to residents/occupiers nearby Osborne Park inviting comments to be received within 28 days. Council received 38 submissions with 84% (32) representing support for alcohol prohibition, 11% (four) objecting to the proposal, and 5% (two) suggesting a night time prohibition only (see Figure 1).

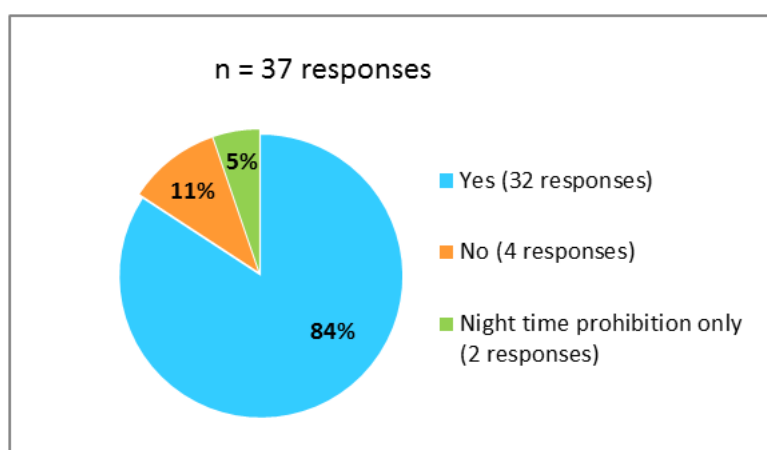


Figure 1 – Response by residents/occupiers to Osborne park alcohol prohibition proposal.

Anecdotally, on 28 August 2018 the Illawarra Mercury published an article 'Council reveals plan to ban booze in Wollongong park' with an accompanying poll 'Should alcohol be banned from Osborne Park?' Of the 238 votes received from its poll 64 % (152) agreed with the alcohol ban and 36% (86) disagreed with the alcohol ban.

PROPOSAL

Council has two options –

- Option 1 Council endorse Osborne Park becoming an Alcohol Prohibited Area with signs erected to advise the public.
- Option 2 Council endorse Osborne Park becoming an Alcohol Prohibited Area with signs erected to advise the public with a revision date of two years for Osborne Park APA.

CONSULTATION AND COMMUNICATION

Earlier this year, in accordance with provisions of the NSW *Local Government Act* and Ministerial Guidelines on Alcohol Free Zones 2009, Council undertook an engagement strategy to inform the community and invite public comment on the proposal to re-establish all seven AFZs as well as the proposal to establish Osborne Park as a new APA.

The community was notified of the draft proposals via Council’s pages in the Wollongong Advertiser on 2 May 2018 and 23 May 2018. The exhibition went live on Council’s Have Your Say page on 2 May 2018, along with maps detailing each of the proposed zones. The online engagement page also included an online version of the Feedback Form.

Wollongong Police District strongly supports the establishment of Osborne Park as an APA following on from the recommendations in the May 2018 Community Safety Audit. Its advice for 24 hour alcohol prohibition reflects the peak incident times occurring in the park.

Further consultation occurred in September 2018 with over 600 letters forwarded to residents and occupiers surrounding Osborne Park. Following from this correspondence Council received 38 submissions with 84% in support of alcohol prohibition.

Comments received in the submission process are outlined as follows -

Supportive comments

‘We are writing to you to provide our full support for the proposed Alcohol Prohibited Area for Osborne Park, Wollongong.....Unfortunately, over the Summer season, day and night, this anti-social behaviour was occurring too frequently. Wollongong Police have been very supportive and responsive to resident concerns about groups collecting, the excessive drinking & abusive behaviour and language.’

‘Sadly we agree with the proposal because of the regular terrible behaviour of some groups as highlighted by your note especially during summer. Alcohol prohibition is the ONLY answer.’

‘As we reside next to the Park, we strongly AGREE/SUPPORT this proposal. The noise, music, yelling and fighting from partie’s [sic] spill over into streets and local residences constantly, and increases in the summer months’.

Objections

‘We are against a blanket alcohol ban for Osborne Park. This park is frequently used by responsible citizens celebrating birthdays, holidays etc. or just enjoying the location and shelters. The enjoyment of a well-behaved majority should not be compromised by the misbehaviour of some undesirables who can be moved on by police if the need arises.’

‘On occasions we have been aware of some shouting coming from the park both in the daytime and at night. However, these disturbances are not much to put up with and are usually short lived. I suspect that alcohol is not always the cause of loud shouting. So long as the consumption of alcohol by individuals in Osborne Park is small, we are not in favour of prohibiting its use there. If behaviour in the park becomes unruly, for any reason, the police should be asked to control it. It would be a shame if law abiding citizens are prohibited from consuming a drink of alcohol in the park when enjoying a picnic or a meeting.’

PLANNING AND POLICY IMPACT

This report contributes to the delivery of Wollongong 2028 Community Strategic Plan Goal 5 ‘We are a healthy community in a liveable city’ and the Delivery Program and Operational Plan 2018-2019, Objective 5.4 Community safety and community perception of safety is improved. It specifically delivers on the following:

Community Strategic Plan	Delivery Program 2018-2021	Operational Plan 2018-2019
Strategy	3 Year Action	Operational Plan Actions
5.4.2 Local crime continues to be prevented and levels of crime reduced	5.4.2.1 Deliver projects and programs to reduce crime in the Wollongong Local Government Area	Monitor and maintain Alcohol Free Zones including new assessments as required

The Wollongong Community Safety Plan 2016-2020 identifies Action Item 3.2 Alcohol Free Zones and Alcohol Prohibited Places are reviewed every four years.

FINANCIAL IMPLICATIONS

The establishment of Osborne Park becoming an APA will include new signs and installation costs which are included in current operational expenditure for the financial year 2018-2019.

CONCLUSION

The recommendation is to establish a new 24 hour APA in Osborne Park. This is with consideration to the data and opinion provided by Wollongong Police District around the timeframe of incidents occurring in Osborne Park, along with supporting submissions received from local residents and occupiers.

ATTACHMENT 1: PROPOSED ALCOHOL PROHIBITED PARK - OSBORNE PARK, WOLLONGONG

