



MINUTES OF MEETING
COMMUNITY SAFETY COMMITTEE
HELD THURSDAY 10 JUNE 2010

NOTE: All minutes are subject to confirmation at a subsequent Ordinary meeting of Council or Planning and Strategy Committee meeting.

PRESENT:

Councillors

Cllr Alan Le Surf	Manly Council (Chair)
Cllr Barbara Aird	Manly Council
Cllr Hugh Burns	Manly Council
Cllr Dr Peter Macdonald	Manly Council

Other Representatives

Superintendent Dave Darcy	Manly Police
Tanny Mangos	Representative of Member for Manly
Ray Mathieson	Community Member
Jacquiline Smith	Manly Community Centre
Doug Brooker	Manly Liquor Accord
Malcolm Pearse	Department of Corrective Services
Richard Wallace	The Corso Precinct
Will de Monchaux	Youth Council representative
Melissa Palermo	Northern Beaches Health Promotion
Doug Edmonds	Manly Warringah Cabs (left at 8.15am)
Sidar Demirbag	Late Night Food Traders representative
Amanda Watkins	Manly Drug Education & Counselling Centre
Meegan Clancy	Manly Chamber of Commerce

Council Staff

Sue Johansson	Community Safety Coordinator
Beth Lawsen	Divisional Manager, Human Services & Facilities
Terry Jones	Manager Ranger Services
Jonathon Noyes	Youth & School Aged Services Coordinator

TO THE MAYOR AND COUNCILLORS OF THE COUNCIL

The **Community Safety Committee** met on Thursday 10 June, 2010, to consider the matters referred to it and now provides the following advice to Council.

OPEN The meeting commenced at 8.00am.

ITEM 1 APOLOGIES AND LEAVE OF ABSENCE

Apologies were received from Cllr Jean Hay, Mayor.
Meegan Clancy represented Monique Eggeling from the Manly Chamber of Commerce, who was an apology.

ITEM 2 DECLARATION OF INTEREST

There were no declarations of interest.

ITEM 3	CONFIRMATION OF MINUTES OF THE MEETING HELD ON 13 MAY 2010 AND MATTERS ARISING	ACTION
	The minutes of the Community Safety Committee from 13 May 2010 were adopted at the Planning & Strategy meeting of 7 June 2010.	
	MATTERS ARISING	
3.1	Item 4: Manly Police Presentation	
	The Committee has previously asked: Whether it is possible to analyse the number of incidents/ alcohol related assaults on each major licensed premise relative to the number of patrons.	
	Superintendent Darcy advised that he is still considering whether the use of Fire Brigade data would be useful for this purpose.	Superintendent Darcy
	Recommendation: That the information is received and noted.	
3.2	Item 6: Hassle-Free Nights	
	In response to the recommendation that “The Committee requests that a report be provided by the General Manager on CCTV technology used to calculate patron numbers arriving in Manly”, this technology is still being trialed and a report from the General Manager will be forthcoming.	GM
	Recommendation: That the information is received and noted.	
3.3	Item 10.2: Manly Warringah Cabs	
	A community representative requested that Manly Warringah Cabs commitment from the meeting of 8 April 2010 regarding their provision of a Commissionaire at the late night taxi rank be pursued.	
	The representative from Manly Warringah Cabs advised that this proposal will be presented to the Board, and an estimate of the financial viability, and the hours of service, need to be resolved. The proposed ‘Commissionaire’ would need to know the local area well.	Manly Warringah Cabs
	A response is outstanding from the recommendation of Committee’s 10 December 2009 meeting: <i>“The Committee recommends to Council that to improve pedestrian safety at the Belgrave Street taxi rank, RTA be requested to install a fence or barrier from the traffic lights at the pedestrian crossing at the side of Council Chambers along to the traffic lights at East Esplanade”.</i>	Community Safety Coordinator
	Recommendation: That the information is received and noted.	
3.4	Item 5: Launch of Graffiti Awareness Campaign	
	Quotes have been obtained for Council to hold 50 So Safe graffiti removal kits for sale to the community. These would be made available from the Customer Service Counter. The kits will be promoted widely once they are available for purchase from Council.	Community Safety Coordinator
	Recommendation: That the information is received and noted.	

3.5 Item 10: Rangers Report

The placement of a permanent timber bin housing being positioned in front of Ser Bar kebab shop is being progressed through Council, and letters have been sent to late night food traders reminding them of their obligations regarding litter management.

Regarding bins, Street Pastors report that they have been collecting 40-50 glass bottles each Saturday night and disposing of them in bins. These bottles are likely to be 'travellers' disposed of before patrons come into view of door staff at licensed premises (a voluntary agreement in place with late night licensed venues means they refuse entry to anyone approaching the venue observed consuming alcohol upon approach). Community Safety Coordinator will communicate with the Waste Minimisation Officer to investigate the need for more conveniently positioned bins for entry points to The Corso.

Community
Safety
Coordinator/
Waste
Minimisation
officer

Recommendation:

That the information is received and noted.

The minutes of the Community Safety Committee meeting held on 13 May 2010 were then confirmed by members.

ITEM 4 Report – Manly Precinct Liquor Accord

Following a request from Communities NSW for comment to be received by 20 April 2010 on the Manly Precinct Liquor Accord boundary and proposed actions, a letter has been sent to staff at Communities NSW advising that the Community Safety Committee:

- Supported extension to the original boundary for the Precinct
- Noted concern regarding the point "cease the sale and supply of alcohol at 3am on Saturday and Sunday mornings" which **disregards Council and Police's request for 2.00 for 2.30am close**
- Request that adequate notice (and agenda) for forthcoming meetings be provided

Section 79 Disturbance Complaint

Manly Police are yet to receive advice from Communities NSW regarding when their Section 79 Disturbance Complaint will be heard. In the Supreme Court hearing of McMillan & Anor v. Director General of Communities NSW, the Supreme Court judgement of 18 November 2009 was that the Police Section 79 was valid and could be progressed. However, the data is now dated. Superintendent Darcy has personally spoken to the Deputy Commissioner of Police and expressed concern.

In December 2009, legal advice obtained from Council's lawyers concerning the Supreme Court judgement of 18 November 2009 was that Council's disturbance complaint was defective in substance as it failed to identify licensed premises. Advice received was to amend Council's complaint to include the name of all those licensed premises in respect of which there have been allegations of undue disturbance and to identify the areas around the premises so disturbed.

Following this advice, and with the General Manager's agreement,

on 25 February 2010 Council sent an amendment to the Section 79 Disturbance Complaint originally lodged on 8 May 2009 which named five licensed premises, reiterated Council's position of 2.00am cease service for a 2.30am close, called for a strict enforcement of RSA and compulsory financial membership to the Manly Liquor Licensing Accord.

Correspondence received

The Committee was provided with two letters received from the Director General of Communities NSW regarding Council's Section 79, one dated 9 April 2010, and one received on 4 June 2010.

The letter dated 9 April 2010 advised that following the Supreme Court judgement, 'no further consideration or action will occur in relation to the complaint lodged by Manly Council'. Unfortunately this letter was not profiled correctly in Council's records system and did not come to light until a letter received on 4 June 2010 referred to it. Council staff apologised to the Committee for this oversight.

The letter received on 4 June 2010 from the Director General of Communities NSW reiterated that the Supreme Court of NSW found the complaint was not valid as it did not satisfy the legal requirements of Section 79 of the Liquor Act, and therefore no further action could be taken in relation to that particular complaint.

These letters suggest that Council's amendment to the Section 79 lodged in 2009, which named licensed premises, was not sufficient to allow the Section 79 to progress, and that a new complaint would need to be considered.

Discussion regarding Section 79

The Liquor Accord representative suggested that Section 54 of the Liquor Act 2007 be used to request conditions on individual problem premises, rather than Section 79. Also that 3.00am is a standard closing time throughout Sydney. Since 2008 when restrictions on hotel trading hours were imposed on a number of licensed premises in Newcastle, a significant proportion of these businesses have gone out of business. In 2008, when most Manly late night traders closed earlier, many patrons chose to go to Mona Vale or Collaroy instead.

Superintendent Darcy explained that a holistic approach was the most effective way to deal with Manly as an 'entertainment precinct'. This was the intention of the Section 79 Disturbance Complaint in naming several premises. Ultimately it would help Council and Police to effectively manage the whole area. The peak time for offences/assaults remains midnight and 3.00am, and coincides with when the late night trading venues close.

Cllr Dr MacDonald commented that the community should not have to keep proving their case. Cllr Dr MacDonald noted that Council has maintained its position for many years of 2.00 for 2.30am closing time, and was not willing to weaken that position. Superintendent Darcy also reiterated his position of 2.00am cease service of alcohol for 2.30am close.

Mike Baird's representative reported that they have been inundated with support from the community for the petition calling for a 2.00am cease service of alcohol with a 2.30am close of all licensed venues

in Manly. This petition will be tabled in Parliament.

The Committee considered the report provided as part of the agenda, which requests that the Director General of Communities NSW use Section 54 of the Liquor Act 2007 (this has been revised as part of the recent Liquor Legislation Amendment Bill 2010) to impose license conditions on all licensed premises within the Manly Precinct Liquor Accord boundary for a 2.00am cease service of alcohol for a 2.30am close.

ClIr Aird requested that Mike Baird MP take on board the call made by Council for political parties to reject donations from the liquor industry.

Recommendation:

The Committee recommends that:

- Information relevant to the recent Liquor Legislation Amendment Bill 2010 is provided to all Committee members, along with a full report on options available to Council in pursuing reduced trading hours.
- That any actions under Section 54 be deferred until discussion at the July meeting, when the Committee has had time to consider the report regarding recent amendments to the Liquor Act 2007.

Member for Manly

Community Safety Coordinator

ITEM 5 REPORT – Working Party to discuss Development Application and Liquor Licence consent conditions

A matrix has been developed which lists the top five issues to improve safety and amenity for six licensed premises. Fire safety remains an issue. The intention is for this information to be made available on Council's website, and it will be a useful tool for Police, Night Rangers and Council's enforcement officers. Manager Compliance & Enforcement will notify members of the Working Party of the next meeting date shortly.

Recommendation:

That the information is received and noted.

Manager Compliance & Enforcement

ITEM 6 Police Report

Superintendent Darcy reported:

- The next five-six months will be a defining period for Manly, and Superintendent Darcy believes that assaults can be pulled back another 20% from the current rate.
- New Brighton Hotel is now closed for refurbishment for two years with a new business model to be considered.
- The Steyne is to be purchased by the Laundry Group, and Superintendent Darcy is due to meet onsite with the new owners to go through the venue. Despite the drop in assaults in Manly, The Steyne still has double or triple the assault rate of other hotels in Manly. The new owners realise the importance of ensuring the right business model.
- Superintendent Darcy will be supporting Manly Council by attending the Land & Environment Court hearing regarding extended trading hours for the Shore Club. The Shore Club wish to trade until 3am.
- Manly Food & Wine Festival was a great event, with reduced intoxication levels compared to last year. Superintendent

Darcy had suggested increased police numbers based on the inclusion of 4 Pines Brewery, this number was not decreased even after the brewery did not participate. As a result there were greater numbers of Police than required.

- Whilst some patrons brought their glasses from previous Food & Wine Festival to use, the condition of Council's liquor license was that plastic containers only be used to serve wine.
- Due to the renovation of the Belgrave Street Police Station, Manly Police move to their temporary new premises in Pacific Point Arcade in September
- Parking close to the Pacific Point Arcade for police vehicles has been obtained, and therefore the spaces in front of the existing Police Station can be reduced as Police will only require two spaces.

Recommendation:

The Community Safety Committee recommended to the Traffic Committee that due to the move of Manly Police Station to temporary premises, Police require only two parking spaces in front of the Police Station in Belgrave Street. That the Council consider implementation of signage, to enable the parking spaces for use by either taxis or for general parking.

**GM/ Traffic
Manager**

ITEM 7 Rangers' Report

The Rangers report for June 2010 will include calls to the Graffiti Hotline.

A question was asked regarding the few smoking cautions or fines which had been issued. Manager Ranger Services reported that they do caution if people are seen smoking in prohibited areas.

Recommendation:

That the information is received and noted.

ITEM 8 Manly Liquor Accord Report

The Liquor Accord representative reported that the Liquor Accord AGM is scheduled for July 2010. An agenda will be sent out shortly.

Recommendation:

That the information is received and noted.

ITEM 9 Bureau of Crime Statistics & Research (BOCSAR) NSW recorded crime statistics March quarterly update

This publication is due to be published on BOCSAR's website today. A summary will be provided for the July 2010 meeting. Members of the Committee can view the "NSW recorded crime statistics quarterly updates 2010 Quarter " report at:

http://www.bocsar.nsw.gov.au/lawlink/bocsar/ll_bocsar.nsf/pages/bocsar_crime_stats

Recommendation:

That the information is received and noted.

ITEM 10 GENERAL BUSINESS brought to the attention of the Chair prior to the start of the meeting and approved for consideration.

10.1 Youth Services update

The Youth & School Aged Services Coordinator reported on several projects:

- Manly Council, Warringah Council and Northern Beaches Health Promotion have been working closely with school's Student Representative Councils on the Youth Decide project, which is about engaging high school students to develop their own health promotion strategies on risky drinking. A progress report will be provided on this project in August.
- Adolescent and Family Counselling Service have just completed a "Parents Facing Violence" group for parents of young people using violence in the home.
- The Adolescent and Family Counselling Service is co facilitating a communication program with Centacare for selected students at Mackellar Girls High School. The program will run over four weeks and will begin on Monday 21st June. The focus of the workshops will be on improving the way young people communicate with their parents, teachers, peers and potential employees in an interview situation.
- Beyond Blue Mental Health Grant, to train young people as mental health mentors. The young people will receive mental health first aid training and will then be available to act as peer mentors at future events and programs.
- The 24/7 Youth Film Festival will be commencing in July. This is a joint project between Pittwater, Mosman and Warringah Councils and encourages youth to make a 7 minute film over 24 hours. Films are then screened across the Northern Beaches
- Regular band nights and dance parties will be held at Kangaroo Street Youth Centre.
- A Youth Strategy is being developed which aims to ensure programs on offer are relevant to young people in the Manly area. Consultation to date has revealed that many young people feel they are not viewed positively by the community. Youth Services will be running focus groups with young people, parents and relevant stakeholders.
- Youth Services from Warringah and Manly Council have been shortlisted for their Proceeds of Crime grant to host youth events on the Northern Beaches

Recommendation:

That the information is received and noted.

10.2 MDECC (Manly Drug Education & Counselling Centre) update

The representative from MDECC updated the Committee on the ReSet project. ReSet recruited ten peer outreach workers living on the Northern Beaches. ReSet peer outreach workers were in the field, visiting clubs, pubs and local gyms talking to their peers for a three month period. The ReSet Online Health Assessment Tool was developed as part of the project. The primary goal for the ReSet peer outreach workers was to link young people into the Online Health Assessment Tool. Online fact sheets and referral information for young people were developed for responders to access on completion of the ReSet survey.

ReSet is a finalist for the National Drug & Alcohol Awards – Excellence in Prevention & Community Education Category.

This is the direct link to the ReSet Project keynote presentation which was sent to the Commonwealth.

<http://vimeo.com/channels/107635#11832507>

The ReSet Online Health Assessment Tool can be viewed at www.reset.org.au

Recommendation:

That the information is received and noted.

10.3 Manly Community Centre

The representative from Manly Community Centre advised that they have been running two anger management groups, and a women's group run by a psychologist. The Centre also has 2 new family law professionals offering their services to the community.

Recommendation:

That the information is received and noted.

10.4 RSA Training

The Community Safety Committee has been referred concerns raised by the Human Services Planning & Policy Committee meeting of 23 February 2010 regarding the Responsible Service of Alcohol (RSA) Training course.

The representative of MDECC explained that previously the RSA training course was disappointing from a health promotion perspective. However the course material provided from April 2010 indicates improvements, and the Training Review Discussion Paper from July 2009 indicated future options to provide greater focus on practical RSA issues in the workplace, with LESS emphasis on health and legal issues. As RSA training is now being taken into many schools and TAFES, there should be a much greater emphasis placed on providing clear health guidelines for young adults, especially covering mental health promotion and identifying issues relating to polydrug use.

Recommendation:

The Committee recommends that the Human Services Planning & Policy Committee express concerns to the Minister for Gaming & Racing, Minister for Health and Minister for Education & Training regarding the course material for RSA training, in particular that the material should have a more substantial health promotion component targeting young adults, particularly focused on mental health promotion and identifying issues relating to polydrug use.

**Human
Services
Planning &
Policy
Committee**

ITEM 11 NEXT MEETING DATE:

Date: Thursday 8 July 2010

Time: 8.00am – 10.00am

Venue: Councillor's Room

Meeting closed at 10.00am