



**9.3 PUBLIC SAFETY ON THE ST KILDA FORESHORE**

**EXECUTIVE MEMBER:** CAROL JEFFS, GENERAL MANAGER, COMMUNITY & ECONOMIC DEVELOPMENT

**PREPARED BY:** JULIA MCCUSKER, HEALTH EQUITY & SOCIAL JUSTICE PROJECT OFFICER

LEO KELLY, COORDINATOR SOCIAL JUSTICE & COMMUNITY HEALTH

**1. PURPOSE**

- 1.1 To inform Councillors of available funding opportunity presented the City of Port Phillip by the Victorian Government to support Infrastructure improvements to strengthen public safety on the foreshore and seek Council's guidance on the proposed introduction of CCTV to public spaces along the St Kilda foreshore incorporating Upper Esplanade, entertainment precincts and Acland Street.

**2. EXECUTIVE SUMMARY**

- 2.1 For Council to respond to the Victorian Government additional funding offer of \$132,000 for the design and installation of a CCTV system that extends the Fitzroy Street system to the St Kilda foreshore and Acland Street to improve public safety.
- 2.2 For Council to consider the development of an evidence based, fully costed public safety risk assessment for the St Kilda foreshore incorporating Upper Esplanade, entertainment precincts and Acland Street.
- 2.3 The foreshore is enjoyed by residents and is a tourist destination. The recommended public safety risk assessment will assist Council to achieve its vision, 'we are beautiful, liveable, caring, inviting, bold, real', by balancing the ability of people to enjoy our foreshore and City while protecting public safety.
- 2.4 While the foreshore is considered a special place by residents and visitors to the City of Port Phillip incidents of anti-social and criminal activity have impacted on amenity and consequently people's perception of safety in the area.



### 3. RECOMMENDATION

That Council:

- 3.1 notes that the Port Phillip Municipal Health and Wellbeing Plan identifies “A safe and active community with strong social connections” as a key priority focus area based on several indicators showing that Port Phillip’s health risk factors for safety (crime, alcohol, illicit and pharmaceutical drugs) are higher than the state average. The Plan identifies Crime Prevention Through Environmental Design (CPTED) and planning and Community Safety Audits in partnership with local communities as the primary methods to address community safety concerns.
- 3.2 notes the two-year Fitzroy Street CCTV trial to measure impacts on community safety (crime and perceived safety) will not be complete and fully evaluated until March 2019, including the recent addition of Little Grey Street.
- 3.3 notes the Council decision of March 2018 to develop a City of Port Phillip CCTV Policy, after the Fitzroy Street CCTV trial evaluation period has concluded, that presents a framework for the consideration of other CCTV systems for a range of site specific contexts.
- 3.4 acknowledges the increasing concern of some residents and Victoria Police regarding community safety in parts of the City of Port Phillip including St Kilda foreshore and the increasing requests for CCTV to be installed.
- 3.5 notes the offer from the Victorian Government to fund additional CCTV on the St Kilda foreshore as a part of the broader package of public safety initiatives.
- 3.6 notes that Council already accessed part of this offer to improve the safety of the public realm along the foreshore
- 3.7 proposes that the Victorian Government funds offered for CCTV instead be used to commission an evidence based, fully costed public safety risk assessment for the St Kilda foreshore incorporating Upper Esplanade, entertainment precincts and Acland Street to be completed by 30 September 2018 and that actions arising from this report to be referred to future Council budget processes and Victorian and Australian Government funding rounds
- 3.8 develops a community safety framework that communicates Council’s roles and responsibilities and provides an evidence based response framework that responds to community safety concerns considering CPTED, Community Safety Audits, CCTV and other methods that incorporates best practice public health centred approaches that minimise harm to vulnerable populations by 30 September 2018 and that this be updated once the Fitzroy Street CCTV trial and the public safety risk assessment is completed. The framework will also include a new Memorandum of Understanding between Council and Victoria Police as well as other government agencies as required.
- 3.9 establishes a community safety advisory committee by 31 July 2018 consisting of public safety experts, residents, traders, and Victoria Police to provide timely advice and support for ongoing public safety initiatives and response.



- 3.10 permits Victoria Police to host the temporary installation of CCTV cameras on Council foreshore assets in response to surge demand periods over Summer seasons (November to April).
- 3.11 acknowledge the support and advice of Victoria Police in response to spikes in criminal behaviour associated with identified geographical locations and the value of working together to improve public safety. Council encourage police operations (including the use of targeted police surveillance) to successfully address such matters

#### 4. KEY POINTS/ISSUES

##### 4.1 Background

- 4.1.1 On 15 December 2017 Council received a formal request from St Kilda Foreshore traders regarding anti-social behaviour and alcohol bans, asking Council to mitigate public safety concerns on the foreshore and surrounds
- 4.1.2 On 25 December 2018, there was an unplanned gathering on South Beach Reserve. The incident resulted in public safety being compromised and the subsequent manual collection of 5.7 tonnes of litter.
- 4.1.3 Victoria Police had limited ability to monitor the escalation instead were called to respond and made a tactical decision to monitor the large crowd rather than enforce due to the risk of escalating anti-social behaviour and potential harm to staff and public.
- 4.1.4 In response to increased risk on the foreshore, Victoria Police implemented a special operation with increased resources tasked to the area during January and February.
- 4.1.5 On 7 February 2018 Council extended the alcohol and glass restriction on St Kilda Foreshore until 3 April 2018
- 4.1.6 On 22 January 2018, the CEO of Port Phillip wrote to the Department of Justice and Regulation highlighting Council's role in relation to foreshore management, the challenge of managing anti-social behaviour and the need for a greater police presence. The email sought an additional \$100,000 funds for further CPTED improvements and identified that at the conclusion of the summer period a review of the Summer Management Program would be conducted which may include "installation of CCTV and additional infrastructure to our entire foreshore".
- 4.1.7 On 5 February 2018, the CEO of Port Phillip received a response from the 22 January letter from the Hon Lisa Neville MP which committed to grant Council up to \$110,000 (GST inclusive) to support infrastructure improvements and an additional \$132,000 for CCTV of which \$32,000 was



identified for design and an additional 110,000(GST inclusive). There was also a media announcement from the Victorian Government about this funding offer.

4.1.8 In the Council report 'Proposed Alcohol Restrictions – Public Spaces and Foreshore' Council officers included in the proposed strategies to consider the funding offer from the Victorian Government to install CCTV on the foreshore. This was not included in the final Council resolution.

4.1.9 Council, at its meeting on 21 March 2018, resolved the following regarding alcohol restrictions on the foreshore:

That Council:

- 1. Notes that considering alcohol restrictions policy setting is highly complex and based primarily on anecdotal evidence, with various forms of supporting evidence and benchmarking to support a long-term policy position of Council.
- 2. Notes that the consideration of options included a review against assessment criteria, community engagement feedback, written submissions from key stakeholders (including Victoria Police, Port Phillip traders, Life Saving Victoria, Ambulance Victoria and VicHealth), the data and observations from the current trial restrictions and assessment of resources to implement.
- 3. Notes that Option 1 is the option advocated for by Victoria Police; however, it is not recommended as the risks do not merit an all-year-round total foreshore alcohol restriction, given the escalation of risks is in the peak season when visitation to the foreshore also peaks.
- 4. Notes that Option 2 - A peak season alcohol restriction along the entire foreshore from 1 November to 31 March is the option that has been assessed by officers as best meeting the criteria adopted by Council, as it prevents displacement of the risks from the St Kilda foreshore to other foreshore locations. However, it has a negative impact on the right to enjoy responsible alcohol consumption on the foreshore away from the higher risk St Kilda foreshore.
- 5. Implements the base case option 8, being no change to the restrictions currently in place, with the following:
- 6. Amends the City of Port Phillip Procedures and Protocols Manual to designate alcohol restrictions along the St Kilda foreshore precinct from 12.01 am on 24 December to 11.59 pm on 26 December inclusive. The St Kilda foreshore is defined as waters and Crown land within the municipality boundary up to the adjoining road, and includes all beaches, reserves and parkland from Langridge Street to Wordsworth Street, St Kilda.



- 7. Amends the City of Port Phillip Procedures and Protocols Manual section 54.1(d), to designate alcohol restrictions throughout the municipal district, in any year, on road and Council land, between the hours of 8 pm and 12 pm on the following day.
- 8. Amends the City of Port Phillip Procedures and Protocols Manual section 54.1(f), to designate alcohol restrictions apply on Australia Day within the whole of the municipality between the hours of 12.01 am and 11.59 pm.
- 9. Publishes the amendments to its Procedures and Protocols Manual 1 September 2013 in the Victoria Government Gazette and updates Council's website with these changes.
- 10. Notes that Council is implementing various additional strategies in combination with alcohol restrictions, including investigating a Christmas season event, delivering a backpacker establishment forum, further developing strategies that minimise harm to vulnerable people and considers an increased budget and summer management services levels as part of the 2018/19 budget process.
- 11. Extends its gratitude to all Port Phillip residents, traders and visitors who contributed to the community engagement process, made written submissions or verbally presented to Council.

4.1.10 During April, Council considered the extension of the Fitzroy Street CCTV system to Little Grey Street. Council at its meeting on 4 April 2018, resolved that:

That Council:

- 1. Notes the advice of the Victorian Government that the funding offered for Little Grey Street St Kilda can only be used for the purpose of CCTV.
- 2. Notes the preliminary findings of the Community Safety Audit showing support for a range of community safety initiatives, including support for CCTV.
- 3. Accepts the Victorian Government offer of funding to progress the installation of CCTV in the Little Grey Street precinct in St Kilda, conditional on the
- 4. Victorian Government meeting the full infrastructure planning, purchase, project management, operating and installation costs of the additional CCTV system, and the system's installation being easily relocatable or mobile post the Fitzroy Street CCTV Trial.
- 5. Incorporates the changed geographical location of CCTV into the Fitzroy Street CCTV Trial Evaluation Plan and that changes are clearly identified in result analysis for the Fitzroy Street CCTV Trial Evaluation Two Year Report due to Council in March 2019.



- 6. Continues to progress a range of evidence based community safety strategies informed by the Community Safety Audit process that will complement the CCTV installation, including graffiti mitigation, improved lighting and other natural surveillance design solutions as well as community building programs such as expanded community garden and Neighbourhood Ngargee programs.

#### **4.2 Public safety and risk assessment associated with the Foreshore**

- 4.2.1 The St Kilda foreshore is enjoyed by residents and is a tourist destination.
- 4.2.2 Our foreshore and public spaces are easily accessible and attractive locations for people to congregate in large numbers. The St Kilda foreshore consists of shoreline, beach, expansive promenade, extensive hospitality settings, car parks and parkland.
- 4.2.3 The foreshore has been identified as a “crowded place” in the Australia-New Zealand Counter Terrorism Committee’s report ‘Australia’s Strategy for Protecting Crowded Places from Terrorism’. The report calls on councils as responsible land managers to decrease the risk factors of an attack. In response, Council has implemented fixed infrastructure, pop-up bollards and boom gates in certain locations within the St Kilda foreshore precinct, and further installations are planned along the municipal foreshore in 2018. The challenge with the large impromptu crowd gatherings is that they do not benefit from the pre-planning, security and management of our regular permitted large events, and therefore security risks are not managed effectively.
- 4.2.4 Improvements to public safety on the St Kilda Foreshore assist Council to achieve its vision of ‘we are beautiful, liveable, caring, inviting, bold, real’ by influencing a positive environment where people can safely enjoy the foreshore.
- 4.2.5 A public safety risk assessment is required to better understand existing crime trends and the broader risks associated with the unique setting that includes foreshore, entertainment precincts and Acland Street. This will provide Council with evidenced based advice capable of informing future decisions regarding public safety in the area.

#### **4.3 Current installation and operation of CCTV on the foreshore**

- 4.3.1 Council installs temporary CCTV cameras for the St Kilda Festival as a component of the event security strategy, this also includes setting up the CCTV network, all links, staff and management. Cameras are installed across the whole St Kilda Festival site.
- 4.3.2 Victoria Police have been installing cameras as part of the joint agency operations to safely manage New Year’s Eve in our municipality for five to six years. The cameras are used for scoping and intelligence regarding crowd numbers, large gatherings of groups and weather.



- 4.3.3 The police have the ability to install CCTV cameras to record or monitor public activity under the Surveillance Devices Act 1999 and operate within a policy which covers relevant legislation including, Crimes Act 1958, Evidence Act 2008, Public Records Act 1973, Privacy and Data Protection Act 2014, Standards for Law Enforcement Data Security (2014) developed by the Commissioner for Privacy and Data Protection and others.
- 4.3.4 Victoria Police had CCTV cameras installed at Donovans, Seabaths and St Kilda Life Saving Club to monitor the foreshore this Summer period. Victoria Police do seek permission by the building manager to attach infrastructure to these buildings.
- 4.3.5 Victoria Police also installed cameras to monitor patrons exiting the Australia Grand Prix.
- 4.3.6 On 18 April 2018, Victoria Police wrote to the CEO of Port Phillip, outlining their concerns regarding resourcing during surge demand periods (including hot weather and public holiday events). Permitting Victoria Police to host additional temporary CCTV during identified surge demand periods will complement existing police tasking and focus through “harm prevention and response to crimes against the person, property crime, alcohol related incidents and anti-social behaviours.”

#### 4.4 Roles and Responsibilities regarding Public Safety

- 4.4.1 Victoria Police is responsible for responding to incidents of crime.
- 4.4.2 Council is responsible for local laws that control behaviour, infrastructure to ensure people are safe and permitting activities on public land.

#### 4.5 Victoria Police observations

- 4.5.1 Victoria Police highlighted a number of positive statistics attributed to the alcohol bans being implemented by Council and increased Victoria Police presence on the foreshore. Statistics were provided by Victoria Police for the Council Report at the Ordinary Meeting of Council on 21 March 2018 ‘Proposed Alcohol Restrictions – Public Spaces and Foreshore.’
- Assault offences committed in summer 2017/18 decreased 20% from the previous 3 year average.
  - Police identify that calls for police attendance at the St Kilda Foreshore has steadily increased over the past four summers.
  - Summer 2015/16 saw a 26.5 % increase in calls from the previous summer, while 2016/17 saw a 22% increase.
  - Summer 2017/18 has observed a marked slowing of this trend with a minor 3.8% increase recorded.



- The requests for Police attendance at the foreshore area in St Kilda have been increasing over the past four summers, however this increase was slowed in summer 2017/18 when alcohol bans were introduced.
- Analysis of reported crime compared with calls for assistance has identified that while a small increase in calls was experienced in summer 2017/18, the actual number of offences identified decreased during this period.

#### 4.6 Impact on amenity

4.6.1 For the Council Report 'Proposed Alcohol Restrictions – Public Spaces and Foreshore' the impact of alcohol-related anti-social behaviour on amenity was noted:

- Residents who have contacted Council have concerns about the loss of amenity, feeling unsafe, the costs of clean-up; the level of asset damage and the reputational damage to the City when things go wrong on the foreshore.
- Traders also stated that their businesses are affected by alcohol-related anti-social behaviour, that staff and patrons feel unsafe moving between venues and their cars/homes; and that traders are heavily involved in providing first aid and calls for assistance to incidents near their premises.

#### 4.7 Evidence base for Open Street CCTV systems

- 4.7.1 Wilson and Sutton (2003) conducted an analysis of Open Street CCTV. The results in the research paper were drawn from a wider study that collected data on all 33 Australian CCTV schemes.
- 4.7.2 In Australia 'open-street' or 'town centre' CCTV refers to visual surveillance systems established in the main by local government authorities in cooperation with police to monitor public spaces such as malls and major thoroughfares.
- 4.7.3 The report states that most developed countries, Australia included, are witnessing increased government and public concerns about crime and security.
- 4.7.4 Results of research on the impacts of CCTV in open-street settings have to date been ambiguous.
- 4.7.5 Welsh and Farrington's (2002) meta-analysis compared 13 evaluations in city centres and in public housing, seven located in England, five in the United States and one in Scotland. Eleven of the 13 sites were located in 'city centres', the remaining two located in public housing.
- 4.7.6 Five found a positive effect (decrease in offences) and three an undesirable effect (increase in crime), while in the remaining five evaluations there was no effect or evidence was unclear (Welsh & Farrington 2002: 13).



- 4.7.7 As is the case with most situational crime prevention measures, whether crime is prevented by CCTV coverage or is merely displaced to other locations remains contested (Brown 1995; Ditton and Short 1999; Skinns 1998).
- 4.7.8 To date only two evaluations of open-street CCTV are publicly available in Australia: one of Fairfield, NSW and one of Devonport, Tasmania, (Fairfield City Council 2002; Goodwin 2002). Both evaluations review existing operations and make location specific recommendations for improvement. However, in both cases insufficient pre-installation data was available to assess the impact of CCTV on offending. In light of the funds being committed to open-street CCTV implementation and maintenance, there is a clear need for more extensive Australian research and evaluation.
- 4.7.9 More Australian research is needed on the ways public space CCTV is used and its impacts on crime, perceptions of safety and civil liberties. Such research may prove that CCTV can be effective in reducing the incidence of some types of crime. However, it remains to be established in what locations and under what conditions. CCTV should also continue to be assessed against other crime prevention measures that might produce superior or equivalent outcomes.
- 4.7.10 Council in evaluating the Fitzroy Street CCTV Trial, is taking on the recommendations of this research to contribute to the evidence base of CCTV systems in Australia. The results from this trial which is due to be completed in March 2019, will inform evidence based decision making regarding CCTV installation.

## 5. CONSULTATION AND STAKEHOLDERS

- 5.1 The City of Port Phillip has consulted with:
- The Hon. Lisa Neville MP
  - The Hon. Martin Foley MP
  - Department of Justice and Regulation
- 5.2 For the Council Report 'Proposed Alcohol Restrictions – Public Spaces and Foreshore' Council consulted with local traders and community regarding safety in the area.
- 5.3 The Foreshore Stakeholder Group consisting of Residents, St Kilda Traders (Luna Park, Stokehouse, Donovans and Seabaths), St Kilda Tourism and Events, Victoria Police, Port Phillip Licensees Association, St Kilda McDonalds and Lifesaving Victoria have written to Council recommending the need for CCTV to be considered as a crime prevention tool in the foreshore precinct



- 5.4 Victoria Police have stated that an extension of CCTV will address current hotspots in crime and anti-social behaviour (as currently being experienced within the Talbot Reserve precinct and Little Grey Street) as well as make an important investment into protecting the City from unforeseen incidents of terror in areas where large numbers of people congregate. Victoria Police identify this threat as heightened from October to March.
- 5.5 Council recently held two community safety audit sessions in the Little Grey Street precinct with members of the community at the end of March 2018.
- 5.6 Council held a community safety discussion with community members, Victoria Police and staff of the National Theatre regarding community safety issues in Talbot Reserve in Barkly Street, St Kilda.
- 5.7 Engagement and consultation with the Foreshore Stakeholder Group, Fitzroy Street Traders, Little Grey Street Safety Audit and Talbot Street Safety discussion groups have indicated support for CCTV in crime prevention and influencing perceptions of crime.

## 6. LEGAL AND RISK IMPLICATIONS

- 6.1 Council, like any land/property manager, has an obligation to manage the public spaces in its jurisdiction effectively and to balance the various uses and opportunities with public safety considerations.
- 6.2 Likewise, Council has an obligation to consider how its management of public space might impact adjoining private land such as commercial and/or residential areas. Failure to do this may result in actions being brought against Council.
- 6.3 The use of all Council owned CCTV system in the public realm shall be governed by a Memorandum of Understanding with Victoria Police.
- 6.4 A research agreement has currently been signed with Victoria Police to provide data for evaluation for the period of the Fitzroy Street CCTV two-year trial.
- 6.5 The current State Government Funding offer for CCTV includes funds for design allowing Council the opportunity to scope actual costs prior to committing to a broad CCTV investment.
- 6.6 **Reputational Damage**
  - 6.6.1 The consequences of incidents such as the Christmas Day event, and coverage of assaults and other crimes results in adverse media coverage, which in turn impacts the foreshore's reputation as a safe, inclusive and inviting place to visit.

## 7. FINANCIAL IMPACT

- 7.1 Whilst the State government may contribute to initial funding for the installation of CCTV, there needs to be consideration in relation to the ongoing ratepayer contribution to the maintenance and servicing of these cameras.



- 7.2 Fitzroy Street CCTV costs were approximately \$402,000, with \$246,250 provided by the Victorian Government and Council contributing \$156,406. There are also ongoing project management, maintenance and evaluation costs associated with CCTV borne by Council.
- 7.3 The Victorian Government have currently offered \$132,000 for CCTV design and build for the foreshore. Of this, \$32,000 is identified for design.
- 7.4 Victoria Police use the information gathered through the CCTV system within existing policing commitments. Victoria Police monitor the cameras when resources and prioritise permit under existing policing resources.
- 7.5 The annual cost of the St Kilda Festival security package is \$108,000. CCTV cameras only make up a component of this cost. There would be minimal savings to Council for the St Kilda Festival security as CCTV cameras on the foreshore would not cover the whole festival site and need to be connected to the server, networks and links.
- 7.6 Depending on the location of the foreshore cameras, potentially eight cameras could be replaced for the St Kilda Festival.
- 7.7 The public safety and risk assessment actions will be referred to future Council budget processes, Victorian and Australian Government funding rounds.

## **8. ENVIRONMENTAL IMPACT**

- 8.1 Digital CCTV systems have low environmental impact

## **9. COMMUNITY IMPACT**

- 9.1 An extended CCTV system will assist in improving the way police prevent and respond to crime in and around the municipality.
- 9.2 The risk associated with public safety will be reduced or mitigated.
- 9.3 The public safety and risk assessment will holistically view public safety in the area and provide an evidence base for any future improvements in the area.
- 9.4 Perception of safety are enhanced, incidents of crime against the person are reduced.

## **10. ALIGNMENT TO COUNCIL PLAN AND COUNCIL POLICY**

- 10.1 the delivery of actions under the direction of 'We embrace difference and belong.' Outcomes by 2027 include:
  - A safe and active community with strong social connections
  - An increase in affordable housing
  - Access to services that support the health and wellbeing of our growing community



- Community diversity is valued and celebrated

10.2 Improving community safety is a key priority for the Health and Wellbeing Implementation Strategy through the vision 'a safe and active community with strong social connections.'

10.3 A key objective of the Health and Wellbeing Implementation Strategy is to ensure Council's planning of natural and built form are informed by land use and design principles that contribute to community safety.

## 11. IMPLEMENTATION STRATEGY

### 11.1 TIMELINE

11.1.1 Council accepts the Victorian Government funds to commission the development of an evidence based, fully costed public safety risk assessment for the St Kilda foreshore.

11.1.2 Council develops a community safety framework that clearly articulates Council's roles and responsibilities and provides a clear response framework to respond to community concerns about safety.

11.1.3 Council establishes a community safety advisory committee to advise the development of a community safety framework that clarify Council's role and develop a clear response framework to community concerns about safety.

11.1.4 Council to meet with Victoria Police with regards to the temporary installation of CCTV cameras on Council foreshore assets for an extended period of time over the summer periods and the continued monitoring of crime hotspots.

## 12. OFFICER DIRECT OR INDIRECT INTEREST

12.1 No officers involved in the preparation of this report have any direct or indirect interest in the matter.

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**ATTACHMENTS** Nil