



## 7.1 Joint Petition Response – Dangerous Hoon Driving, Excessive Noise and Toxic Fumes across Port Melbourne

### **Petition 1:   Petition regarding dangerous hoon driving, excessive noise and toxic fumes across Port Melbourne**

A Petition containing 53 signatures, was received from local residents and considered by Council on 8 December 2021.

#### **The Petition states the following:**

*The Petition of the residents named below draws the attention of the Council to a significant increase in very dangerous hoon driving and excessive noise/toxic fumes across Port Melbourne and in particular at Station Pier, Williamstown Road, Beach Street, Bay Street, Beaconsfield Parade, and nearby streets. Station Pier/Waterfront Place, in particular, has become a frequent meeting place for overwhelming numbers of hooning cars/bikes requiring continued police intervention. On November 20 a resident was threatened/assaulted by hoons/young thugs resulting in an investigation by the Victorian Police. 'Hooning meetings' at Station Pier are detrimentally impacting the entire City of Port Phillip (CoPP).*

#### **HOW IS THIS IMPACTING THE COMMUNITY?**

*The noise, smoke and dangerous driving is compromising community safety and impacting resident quality of life and mental health. Residents advise they are avoiding the Station Pier area at night as they do not feel safe. Residents have witnessed dangerous driving and near misses at the Station Pier pedestrian crossings. Property owners around Station Pier are moving out of their homes due to 'hoon noise' with owners' corporations around Station Pier seeing hooning as a major quality of life issue. Hoons urinating around the Station Pier makes the area even more undesirable.*

#### **STATION PIER -THE NAUTICAL GATEWAY TO MELBOURNE**

*Sadly, the historical significance of Station Pier, especially for the many migrants who arrived at Station Pier and live in the City of Port Phillip, plus the thousands of servicemen departing to the wars, is being totally disrespected and violated by ignorant hoons.*

#### **PPCC -IS RESPONSIBLE FOR THE SAFE OPERATION OF STATION PIER--**

*Recent police reports and abundant video evidence confirm that the area is definitely not safe and further immediate action is required to make it safe.*

*The following petitioners hereby request that Council, at its meeting on 8th December, 2021 to action the measures below which will significantly reduce hooning at Station Pier and consequently throughout the CoPP:*

- 1. Installation of automatic boom gates at the entrance and exit of Station Pier similar to those used at the South Melbourne Market. The registration of vehicle number plates and being required to pay for parking will make Station Pier significantly unattractive to hoons. Such boom gates could be programmed to allow free parking for, say, 30 minutes for those buying coffee and the Station Pier restaurants could validate discounted parking. The boom gates could remain open during the Spirit of Tasmania sailing times. This permanent Station Pier solution will reduce hooning behaviour in local streets and roads*

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*and enable the use of the mobile CCTV trailer system to be used in other Co PP hotspot locations.*

- 2. If the installation of boom gates is delayed, then the immediate installation of 6 obvious CCTV cameras including flashing blue lights on the entrance and exit of Waterfront Place /Station Pier. The logical location is mounting on existing light poles. Those permanent cameras will enable council and police to then utilize the mobile camera system in other hot spot locations. Note that the adjacent Princes' Pier has 14 CCTV cameras.*
- 3. The current walkways around Delish Fish and Mr Hobson cafe to be classified as pedestrian/bicycle use only with signs advising that parking of motorcycles in that area is not permitted. Barriers that allow the free flow of pedestrians and bicycles but impeding motorcycles parking in the area needs to be considered.*

### **Petition 2:      Petition requesting the creation of a by-law to enforce against hoon activity in Port Phillip**

A petition containing 199 signatures, was received from Josh Burns Federal MP for Macnamara.

#### **The petition states the following: -**

*From Port Melbourne down through South Melbourne and along the beach and surrounds in Middle Park, St Kilda and Elwood, hooning is disturbing the peace and security of our neighborhoods.*

*Dangerous driving and excessive speed, often by large groups on motorbikes, have a significant negative impact on families, people working from home and those just trying to sleep or get on with their day.*

*Summer has especially been a notorious time of the year for hoon behaviour – it is essential that Council works with Victoria Police to do all it can to reduce the negative impact of this behaviour.*

*We urge Councillors to strongly consider adopting appropriate by-laws, which have been used by several Councils in Victoria, to empower police to take action against hoons and the power to issue on-the-spot fines for taking part in, encouraging or attending an illegal hooning event. Other Councils which have introduced by-laws to crack down on hooning include Brimbank City Council, Frankston City Council, and Greater Dandenong Council, the latter two introducing a \$500 and \$250 penalty respectively. These measures have been well received by the community. Dangerous driving puts lives at risk, especially children. We urge Council not to wait for yet another incident to occur on our local roads.*

#### **OFFICER COMMENT**

- 1.1 The term 'hooning' describes reckless driving behaviour including excessive speed, or deliberately causing a vehicle to skid, smoke or make excessive noise. "Hooning" often involves multiple vehicles and has safety and amenity impacts.
- 1.2 Hooning, particularly during summer months, impacts the quality of life and sense of security of residents.
- 1.3 Council does not have the statutory powers to respond to criminal and antisocial behaviour such as speeding and dangerous driving but does work closely with Victoria Police and has implemented measures to disrupt hooning.

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- 1.4 On 3 November 2021 Council approved hiring a mobile CCTV trailer for six months over the summer period. Other actions taken to deter hooning activity in Port Phillip are outlined in Attachment 2.
  - 1.5 Victoria Police have identified and implemented the following measures over the 2021/22 summer period:
    - Installed tactical cameras at Station Pier, a known gathering site for hooning.
    - Trialled a Mobile Processing Unit Van with CCTV capability.
    - Deployed mobile speed cameras to Beaconsfield Parade and Pier Road and have approval for two more to be used mainly on Graham Street and The Boulevard, to increase compliance with the posted speed limit and reduce dangerous driving.
    - Run regular operations to target defective vehicles, supported by the Public Order Response team. Police report that, anecdotally, these have been effective at discouraging hoon drivers from coming to the Port Phillip foreshore.
  - 1.6 On 8 December 2021 Council received a petition requesting boom gates, permanent CCTV and changes to management of footpaths at Station Pier.
  - 1.7 In December, Josh Burns Federal MP for Macnamara, wrote to request Council consider by-laws to provide police with the power to issue on-the-spot fines to people participating in, encouraging or attending hooning events (Attachment 1). An online petition associated with this request was tabled at the 2 March 2022 Council meeting.
  - 1.8 Council officers have considered these requests along with suggestions from Victoria Police, and the deliverability of the requests and suggestions, to understand if they can contribute to a reduction in hoon behaviour in Port Phillip.
- 2. Investigation of the option to introduce speed humps at Station Pier**
- 2.1 Council officers considered the introduction of speed humps to Waterfront Place at the entry of Station Pier.
  - 2.2 While traditional speed humps may not be feasible, raising the existing pedestrian crossing on Waterfront Place could serve a similar purpose, see Figure 1 below. The raised profile of an upgraded pedestrian crossing may act as a deterrence to lowered hooning vehicles, while also improving pedestrian safety. Victoria Police feedback suggested this type of intervention could assist at Station Pier.



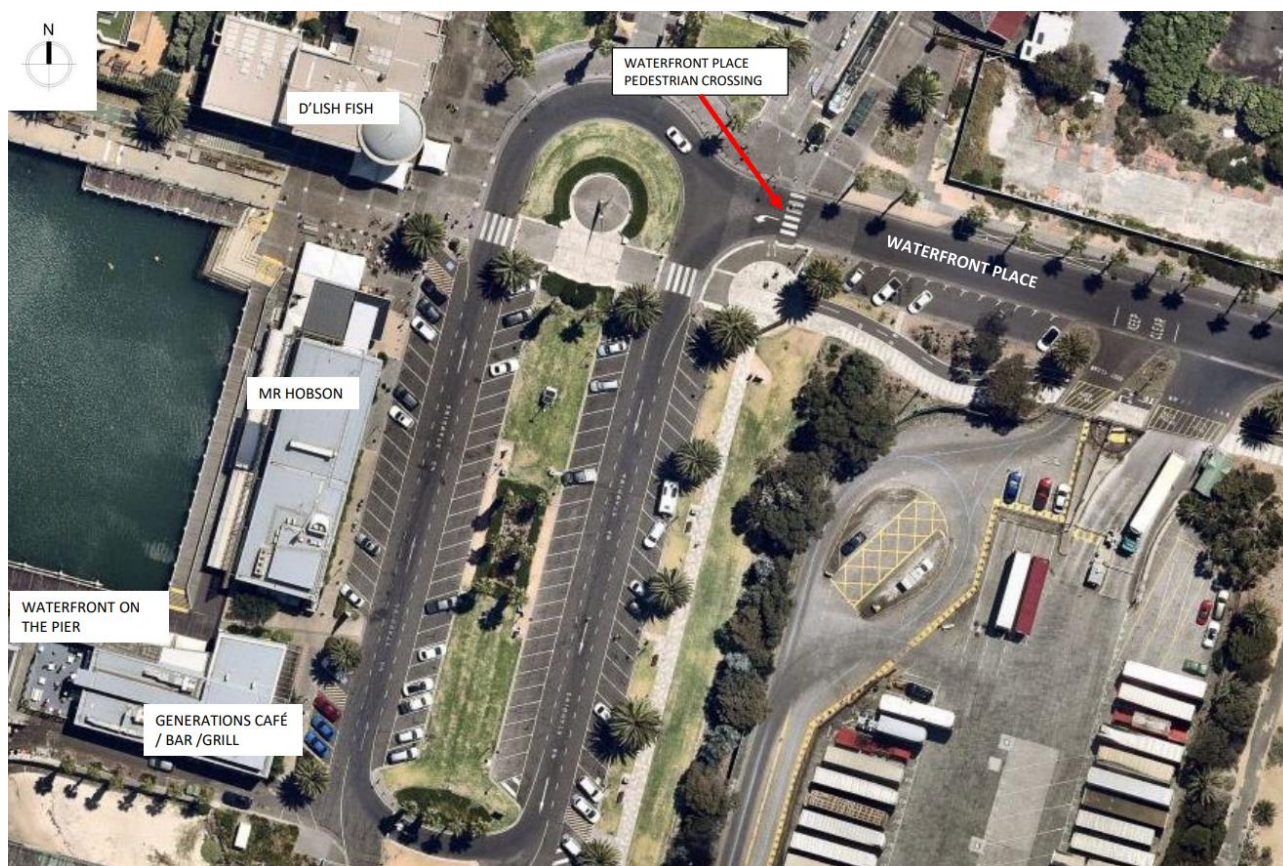


Figure 1: Aerial image of Station Pier and proposed location for trial of temporary raised pedestrian crossing.

- 2.3 A temporary (12 month) raised pedestrian crossing on Waterfront Place could be installed relatively quickly and could be used to monitor the effectiveness of this treatment at deterring hoons. A temporary crossing of this type has been estimated to cost \$40,000, including installation. This could be funded from the current 2021/22 FY Council surplus, alternately there is an option to seek Commonwealth and State funding opportunities.
- 2.4 Subject to a trial, construction of a permanent raised pedestrian crossing on Waterfront Place could be considered by Council. A permanent raised pedestrian crossing is expected to cost at least \$100,000; with design and construction over two years.
- 2.5 Should further raised profile treatments be required in the future, there are two other pedestrian crossings within the car park that could be raised. At these locations the kerb has already been built out and contains traffic to a single lane over the crossing. An initial cost estimate to upgrade these two pedestrian crossings to temporary raised pedestrian crossings is \$50,000.
- 2.6 Speed humps are not recommended at this stage because of the layout of the carpark. Officers are of the view that the wide angle-parking spaces on each side of the carriageway would allow vehicles to easily drive around speed humps



when the parking was not occupied. Under this scenario removal of parking spaces would be required to reliably contain vehicles to a line of travel over the speed humps and consultation with local businesses and the Port of Melbourne Authority would also be required. Council officers will continue to work with Victoria Police to monitor hoon occurrences to understand if during these, traffic is regularly contained within the traffic lanes by lengths of parking or spectators. If this was the case speed humps may be worthy of further consideration at some point in the future.

**3. Late night parking enforcement at Station Pier**

- 3.1 Late night No Stopping restrictions were introduced to support the cruise shipping operations at Station Pier.
- 3.2 Existing parking restrictions in the Station Pier carpark are 3P Meter, 8am-Midnight, and No Stopping, Tow Away, 1am-6am, October – April.
- 3.3 Council officers and Victoria Police are investigating options to collaborate in joint late-night enforcement of metered parking in Station Pier carpark in response to hoons attending this area.
- 3.4 Council officers will also consult with local businesses to determine if there are any changes to restrictions that are needed to support their operations.

**4. Investigation of automatic boom gates at the entrance and exit of Station Pier**

**Assessment of automatic boom gates for Station Pier**

- 4.1 Station Pier is a working port and the volume of traffic and hours of operation, including for commercial vehicles, means the installation of automatic boom gates on Waterfront Place could lead to negative traffic and access impacts for the port and surrounding commercial tenants. Of note:
  - The Spirit of Tasmania will continue to operate from Port Melbourne, and generate significant traffic, until sometime between September and December 2022.
  - Australia will open to cruise ships again in April 2022, meaning cruise ships can be expected to return to the port with a lesser but still significant need for commercial and service vehicle access.
  - During cruise shipping seasons pre-approved Traffic Management plans are in place, these vary from moderate for smaller ships to extensive for larger ships and double sailings. Boom gates, speed humps or any other traffic management interventions would need to be discussed and agreed with the Port of Melbourne Authority to understand the impact on their operations.
- 4.2 Automatic boom gates as described in the petition, with vehicle registration sensors and paid parking functionality are expected to result in queuing and delays that would create an impact on our road network. The system costs around \$100,000 for the core infrastructure, with the requirement for potentially costly power connection and other civil works.



- 4.3 A simpler boom gate that is open during the day and closed late at night, for instance at midnight, with exit only capability between these hours has been considered. Opening and closing times would need to be based on Victoria Police advice and input from local businesses and considering pier operations. Initial purchase of a simple boom gate arrangement without any parking management function would cost around \$15,000, the site adjustment, power and installation, operation and maintenance costs require site assessment and the cost is unknown. Repairs due to vandalism of the arm may be up to \$10,000 per unit.
- 4.4 Other key risks from the introduction of boom gates, include:
- Hoon vehicles may drive through or around, or otherwise vandalise the gates.
  - Liability concerns and safety issues which may occur due to improper operation of gates, or vandalism. Recurrent vandalism has been an issue at other locations with afterhours gating of car parks, for instance there have been ongoing issues with damage to gates at the Elwood beach car park.
- 4.5 The Road Management Act 2004 requires that Council seek permission from Department of Transport (DoT) on any proposal to install gates on or near public roads. Automatic boom gates are generally not installed on the local road network. As this road provides access for cruise ships it is considered significant by State Government. DoT have indicated that they would require detailed information on the proposed treatment and possible implications of the proposal on the surrounding network, and other safety concerns to provide a response.

**Local business feedback on boom gates**

- 4.6 Nearby businesses that rely on access via Waterfront Place and use of the Station Pier carpark by staff and customers have been consulted. They expressed concern that an automatic boom gate system may impact their operations. Some business managers expressed the opinion that most organised vehicle events at Station Pier were attended by vehicle enthusiasts and not hoons.
- 4.7 Officers spoke to management at Waterfront on the Pier / Generations Café, Bar & Grill / Functions on the Pier / Mr Hobson's, and identified the following concerns.
- From a streetscape level, automatic boom gates may create a perception that Station Pier is closed off and may result in a loss of trading activity.
  - Functions on the Pier and Mr Hobson's are licenced to host functions until 1:30am, with staff potentially working until 3am. Restricted access to Station Pier may create difficulties in staff and patrons safely leaving the venues, particularly the use of taxi or rideshare services.
  - These businesses have unpredictable delivery schedules. Some delivery drivers have access to the loading docks and commence loading as early as 4am.





- Concerns were raised on how an automatic boom gate system may prevent emergency service vehicles from attending the sites in case of emergency.

**5. Investigation of 6 CCTV cameras including flashing blue lights on the entrance and exit of Waterfront Place and Station Pier**

- 5.1 Council's Public Place Close CCTV Policy, adopted in December 2019, states that Public Place CCTV systems will progress when state or federal funding has been provided and proposed outcomes meet the intention of all required guiding principles in the policy. The Policy goes on to outline that Council accepts the responsibility for owning, managing, maintaining and licensing each public place CCTV precinct based system for its functional life and when seeking funding considers all conditions in relation to minimum and co-contribution to the project and accepts responsibility for co-contributions of funds and in-kind support.
- 5.2 Council works closely with the State Government on the location of CCTV systems. Department of Justice and Community Safety funding is provided where there is a high statistical evidence of crime and strong support from Victoria Police, and generally is not available to address hooning activity. Previous applications for CCTV to address hooning have been unsuccessful. Officers will continue to explore state and federal funding options.
- 5.3 In accordance with the Auditor General's Security and Privacy of Surveillance Technologies in Public Places report to ensure data security and privacy legislation obligations are met, specialised CCTV cameras are required. Many less expensive and common brands of CCTV cameras are not utilised by Federal and State Government departments, including the Victoria Police, as there are data security risks in how the information is collected, stored and transmitted.
- 5.4 Historic CCTV installations suggest that securing external funding, procurement, and installation of the cameras would take approximately 18 months and cost approximately \$350,000 including WIFI repeater sites and infrastructure at South Melbourne Police Station. Officers have ongoing investigations to find more cost-effective alternatives and should they prove viable we will brief Council.
- 5.5 There is an option that Council could consider extension of the current mobile CCTV trailer hire to provide CCTV cover for a further six months (approval was granted in November 2021 for a six-month period). This would enable officers to continue to assess the effectiveness of the intervention, seek external funding, or develop another funding solution and, if successful, for procurement to occur. The cost of extending the hire for 6 months is estimated at \$35,000.

**6. Investigation of barriers on the Bay Trail and walkways around D'Lish Fish and Hobson's Café, and a review of parking signage in the vicinity**

- 6.1 The petition requests the installation of barriers that allow the free flow of pedestrians and bicycles while impeding motorcycle parking. Upon investigation, no suitable devices have been identified that would exclude motorcycles and not pose a hazard to pedestrians and cyclists.



- 6.2 Road Safety Rule 197 supports motorcycle parking on footpaths provided that motorcyclists:
- Park their motorcycle at least 1.5m (one motorcycle length) out from the building line to allow free movement of pedestrians; and
  - Park their motorcycle at least 0.5m (a wheel) back from the road kerb to allow pedestrians free access to and from the road and parked vehicles.
- 6.3 Motorcyclists contravening Road Safety Rule 197 can be managed by Council's Parking Enforcement Officers.

### **7. Investigation of the option to create a hoon by-law**

- 7.1 Council officers have undertaken an assessment of the appropriateness of creating a new by-law to address hooning and anti-social behaviour in Port Phillip. This could be created as a standalone process or through the planned local law review. The findings of this assessment are outlined below.

#### **Hooning behaviour and response in Port Phillip**

- 7.2 Hooning events do not feature as often in Port Phillip as they do in municipalities that have introduced hooning local laws. Hooning 'events' occurred in January 2021 in Marine Parade, St Kilda and in October 2021 at Station Pier, Port Melbourne. Although, as reported by the community, hoon behaviour is still occurring, there have been no significant hooning 'events' reported since October 2021.
- 7.3 Local Police have indicated that, while a hoon by-law could be useful if large hooning events were to occur again, this is not the type of activity they most commonly see in our city. They have expressed support for the current actions undertaken within the City of Port Phillip and their intention to continue to work with Council to identify further joint actions that can be taken to reduce hooning behaviour.
- 7.4 In Port Phillip 'hooning' generally involves small groups of drivers in car parks and on roads along the foreshore, and loud vehicles including motorbikes on main roads. While these hooning activities do have a severe impact on the community, their size and form suggests that a hoon by-law may not be the most suitable tool to address the issue.

#### **Implementing hooning by-laws**

##### **Existing and proposed legal framework**

- 7.5 Under existing State anti-hoon laws introduced in 2006, Victorian Police can impound a vehicle for 30 days where Police believe, on reasonable grounds, a hoon-related offence has been committed. A person found guilty of three hoon-related offences inside three years can have their vehicle permanently forfeited. In addition, the courts can impose a fine of up to 240 penalty units (in excess of \$28,000) and/or a period of imprisonment of up to two years. The driver also incurs any demerit points and/or license loss penalties applying to the underlying offence.



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- 7.6 Under the Local Government Act, Councils can introduce local laws to protect public health, safety and amenity in a municipality. A formal process including community consultation is required to develop a new local by-law.
- 7.7 Brimbank, Frankston and Dandenong Councils have created a by-law to stop organised 'hooning' events, in some cases at the request of the Victoria Police. The by-law was drafted in response to 'events' involving large groups of cars in industrial areas and large car parks doing burnouts, creating noise and disturbing the peace. The by-law allows for Victoria Police to infringe persons who attend the event as well drivers and is reported as being effective in stopping these gatherings.
- 7.8 The cities of Brimbank and Dandenong advise that, in their councils, hooning involved numerous large 'events' typically in industrial areas and carparks, and that the by-laws have been effective in discouraging these events.
- 7.9 No inner-metro Melbourne Council has introduced hoon by-laws. In 2014 Victoria Police requested Kingston City Council consider changing their local laws to address large anti-social gatherings attending organised hoon events in the local industrial areas. Kingston City Council considered the request and opted to defer the decision; it has not been revisited since. A news article following the meeting reported that the deferral was made on the basis that an extension of the local law requiring permits for street parties, street festivals and processions on a road to include public gatherings could result in unintended consequences for a range of public events beyond hoon activities.
- 7.10 A hooning by-law similar to that of the City of Brimbank and other outer Melbourne Councils would provide Victoria Police the powers to target and issue fines to anyone conducting or spectating at illegal, dangerous or harmful 'events' involving vehicles.
- 7.11 Victorian Police would be required to resource the enforcement of a hoon by-law. While Victoria Police would issue infringements, Council officers would be responsible for progressing the administration and appeals process. As with Brimbank Council it is likely that Council officers will need to attend hoon events and assist Victoria Police to issue the 'on the spot' infringements. These arrangements may require a formal agreement or Memorandum of Understanding with Victoria Police.
- 7.12 Council's Community Engagement Policy made pursuant to the Local Government Act 2020 (Act) governs the legal and consultation requirements for creating a local law. It is expected that development of a stand-alone hoon by-law would take around 8 to 9 months. At a minimum the process should include:
- Legal advice to refine a new by-law within the Port Phillip context.
  - Report to Council outlining legal framework for the by-law and community engagement plan.
  - Comprehensive community engagement on the proposed by-law, it is expected this would run for 4 weeks, and must include public notice for 28 days.

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- Consideration of community feedback by Council and opportunity to hear formal submissions.
- Report to Council responding to community submissions and option to adopt the by-law.
- Publication of Notice of Adoption of Local Law (if supported).

While the timeline is tight, it may be feasible to introduce a hoon by-law in December if Council wished to pursue this course of action.

- 7.13 Council's existing Local Law (Community Amenity) is being reviewed over the next 18 months. Provisions to address hooning could be developed and included as part of this review. In this circumstance hooning provisions would be implemented from July 2023.
- 7.14 If Council wants to consider a hoon by-law, from a costing, resourcing and community engagement perspective it would be beneficial to include consideration of this as part of the new Local Law 2023.
- 7.15 If Council wants to undertake a stand-alone consideration of a by-law, it is estimated this will cost up to \$130,000 for legal advice, additional EFT resource for project management and community engagement support.

### Options/next steps

- 7.16 Council officers have identified the following options:

#### **7.16.1 Option 1: Council does not develop a new hoon by-law (no financial cost to Council)**

This option recognises that:

- Police have existing powers to penalise those engaged in hoon activities
- Hoon events that could not be enforced using existing powers occur  $\epsilon\upsilon\phi\rho\epsilon\theta\upsilon\epsilon\nu\tau\lambda\psi$  in the City of Port Phillip
- Police  $\eta\alpha\pi\epsilon$  not formally requested additional powers to act against spectators and attendees of hoon events in Port Phillip.
- Police  $\eta\alpha\pi\epsilon$  indicated that actions by Council have been effective in reducing hooning in St Kilda and Port Melbourne, and further interventions can be trialled at Station Pier.

## **8. CONSULTATION AND STAKEHOLDERS**

- 8.1 Council received a letter from Josh Burns – Federal MP Macnamara urging Councillors to consider the use of hoon by-laws to deter hooning and antisocial behaviour in Port Phillip. (See Attachment 1)
- 8.2 Officers met with their counterparts at Brimbank City Council, City of Greater Dandenong and Kingston City Council to gain an understanding on their experience with hoon by-laws.



- 8.3 Officers have spoken to businesses that rely on access via Waterfront Place to gain an understanding of how an automatic boom gate system may impact their business operations. Businesses were not consulted on the potential for a raised pedestrian crossing on Waterfront Place as it is expected this would have negligible impact on their operations.
- 8.4 Officers will need to consult with Port of Melbourne Authority on any proposed infrastructure changes.
- 8.5 Officers met with the Victorian Police Local Area Commander for Port Phillip and relevant Sergeants from the Port Phillip team. They indicated that there were no significant incidents of hooning through the summer of 2021/22, and that generally the type of hooning issues were different in Port Phillip to those areas that had implemented hooning by-laws.
- 8.6 The Department of Transport have indicated that they would require detailed information on the proposal to install an automatic boom gate at Station Pier, including possible implications on surrounding network and other safety concerns, before they would consider approval.
- 8.7 Development of any proposed by-law will require significant community engagement. Should Council proceed with implementing a hoon by-law community engagement would be simplified if this was undertaken as part of the development of the new Local Law.
- 8.8 The Department of Transport, in partnership with Victoria Police, are establishing a Hooning Community Reference Group to provide feedback and support the development of recommendations that enhance deterrence of hooning behaviour. Council has been successful in applying to join the Reference Group. Membership will provide an avenue for Council officers to advocate for state led initiatives including:
- Legislation to ban hoon gatherings by providing additional enforcement powers to Police.
  - New and better enforcement tools for noise issues associated with hoon behaviour, as this is understood to have the widest and most pervasive impact on our community.

## 9. LEGAL AND RISK IMPLICATIONS

- 9.1 Victorian councils have the broad power to make local laws 'for or with respect to any act, matter or thing in respect of which the council has a function or power under this or any other Act' (Local Government Act 2020, section 71(1)).
- 9.2 Local Laws can prescribe penalties not exceeding 20 penalty units for a contravention.
- 9.3 *If Council proceeds with a hoon by-law there will need to be further discussions with Victoria Police as the agency responsible for enforcement. It is noted that while Victoria Police are responsible for enforcement, they may not be able to sign a formal MoU to commit Police to commit specific resources to enforcement activity.*



## **10. FINANCIAL IMPACT**

- 10.1 Installation of a temporary raised pedestrian crossing is estimated to cost \$40,000. This could be funded from current 2021/22 FY Council surpluses.
- 10.2 A simple boom gate arrangement at Station Pier is estimated to cost up to \$15,000. Repairs due to vandalism of the arm may be up to \$10,000 per incident. Additional operation and maintenance costs have not been confirmed. This is unfunded and is not recommended.
- 10.3 Installation of permanent cameras at Station Pier is estimated to cost approximately \$350,000, investigations to find more cost-effective alternatives are ongoing. This is unfunded and officers will continue to explore state and federal funding options in line with Council's established CCTV policy. This option is not recommended at this point in time.
- 10.4 Extending the current mobile CCTV trailer hire for 6 months is estimated to cost \$35,000. This would enable officers to continue to explore other funding opportunities and solutions and, in the event, these could be realised, this would ensure there is no gap in service while a permanent mobile CCTV trailer is procured.
- 10.5 Should Council consider a hoon by-law as part of the development of the new Local Law there would be resource efficiencies.
- 10.6 Creating a hoon by-law independent from the Local Laws Review 2023 would incur costs of up to \$130,000 in legal, consultation and community engagement, and project management costs, and is unfunded.
- 10.7 If Police requested Officer attendance at enforcement blitzes (like the Brimbank model) additional budget and technology would be required to enable the issuing of "on the spot" infringements.

## **11. COMMUNITY IMPACT**

- 11.1 Hoon activity, and particularly hoon events involving anti-social behaviour, create significant amenity and safety issues for our local community.
- 11.2 While existing State anti-hoon laws allow Victorian Police to respond to hoon activities, implementation of a hoon by-law could provide community benefits should large 'hoon events' occur in the future.
- 11.3 There is a risk of adverse and unintended consequences from enforcement of a hoon by-law should bystanders be fined as illegal spectators of a hoon event.

## **12. ENVIRONMENTAL IMPACT**

- 12.1 Noise pollution would be mitigated through reduction in hooning associated with additional infrastructure or the implementation of a hoon by-law.

## **13. SOCIAL IMPACT**

- 13.1 As per Community Impact above, hooning activity can impact perceptions of safety.





**14. ECONOMIC IMPACT**

- 14.1 Repeated hoon events may have an impact on economic activity for local businesses along our foreshore.
- 14.2 Installation of boom gates is considered a risk to economic activity for local businesses.

**OFFICER RECOMMENDATION**

That Council:

- 1. Thanks the petition organisers for their advocacy on behalf of our community.
- 2. Notes the activities undertaken by Council and key stakeholders to address hoon behaviour to date and further investigations undertaken as a result of the petitions.
- 3. Endorses the allocation of \$40,000 from the current 2021/22 financial year Council surplus for the purchase and installation of a temporary raised pedestrian crossing, at the existing pedestrian crossing on Waterfront Place, as a 12-month trial.
- 4. Endorses the allocation of \$35,000 for a 6-month extension of the hire of the mobile CCTV trailer to provide further time to assess the effectiveness of the intervention, attract external funding or develop other funding solutions and in the event, these are realised undertake procurement.
- 5. Notes that speed humps at Station Pier and Waterfront Place are not considered an effective tool due to the layout of the car park and are not warranted at this time however officers will continue to monitor this situation and bring back advice to Council, if this became necessary at some point in the future.
- 6. Notes that Council officers will investigate options with Victoria Police to collaborate in joint late-night enforcement of metered parking in the Station Pier carpark in response to hoons attending this area.
- 7. Notes that any further investigation of automatic boom gates at the entrance/exit of Station Pier is not warranted at this time.
- 8. Notes that as per previous Council resolution, a mobile CCTV trailer has been hired for six months and is used by Police to enforce against illegal hooning and anti-social behaviour.
- 9. Notes that Parking Enforcement Officers patrol Station Pier and issue infringements to motorcyclists contravening the Road Safety Rules.
- 10. Notes that Council officers have been accepted to join the Hooning Community Reference Group run by Victoria Police and Department of Transport.
- 11. Notes based on this report and experience gained from other councils that creating a new by-law is not appropriate in addressing hooning and anti-social behaviour in Port Phillip.

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12. Notes the following three options available to Council with respect to a hoon by-law and the associated opportunities and risks: -
  - a. **Option 1** – Council does not develop a new hoon by-law (no financial cost to Council).
  - b. **Option 2** – Council considers a hoon by-law as part of the Local Law 2023 review (no additional financial cost to Council covered through review of Local Law).
  - c. **Option 3** – Council considers a hoon by-law independently of the Local Law review (additional cost to Council currently un-budgeted, approximately \$130,000).
- 13.1 Resolves to pursue Option \_\_\_\_ [insert option] and delegates to the Chief Executive Officer implementation of this option.

## ATTACHMENTS

1. **Josh Burns MP – Letter to Council**
2. **Actions taken to Deter Hooning in Port Phillip**