



9.1 **PROPOSED ALCOHOL RESTRICTIONS - PUBLIC SPACES AND FORESHORE**

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1. PURPOSE

- 1.1 To provide Council with information relating to the recent trial of extended alcohol restrictions on the foreshore, and the results of community engagement.
- 1.2 To propose the introduction of permanent alcohol restrictions on the foreshore during peak season, to be combined with a range of other actions aimed at reducing risks, maintaining amenity and minimising harm from alcohol consumption.

2. EXECUTIVE SUMMARY

- 2.1 The foreshore is enjoyed by residents and is a tourist destination. The proposed alcohol ban is intended to 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.
- 2.2 Our foreshore and public spaces are easily accessible and attractive locations for people to congregate in large numbers and consume alcohol. There have been incidents requiring large clean-up operations, closure of parks and beaches, harm to people and damage to property as a result of alcohol gatherings. The remediation activities were unbudgeted and a burden on the rate dollar.
- 2.3 Residents, St Kilda traders, Victoria Police, Ambulance Victoria, VicHealth and Lifesaving Victoria clubs have made written submissions about the alcohol restriction trial and/or presented at the Council meeting on 7 February 2018, requesting permanent alcohol restrictions on the foreshore within the municipality. Their written submissions are provided as *Attachment 1*.
- 2.4 Officers note that this topic is a complex social policy issue with many variables that are dependent on context. Consequently, there is a lack of a definitive quantitative evidence base to guide Council decision making. The criteria adopted by Council has been used to guide policy decision and assessment of options has relied on both quantitative data (where this is available) and qualitative data, including the direct experience of Council officers in managing this issue over a number of years.
- 2.5 Various options to set a long term policy have been developed with consideration of community engagement feedback, submissions and public speakers' representations to the 7 February Council Report, data and observations from the 2017-18 trial restrictions and the experience of other councils that have alcohol restrictions on their beaches and foreshore.



3. RECOMMENDATION

That Council:

- 3.1 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.
- 3.2 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.
- 3.3 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.
- 3.4 Notes that Option 2 - A peak season alcohol restriction along the entire foreshore from 1 November to 31 March is the option that best meets 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.
- 3.5 Implements Option 5 – A peak season alcohol restriction along the St Kilda foreshore precinct from 12.01 am on 1 November to 11.59 pm on 31 March 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.
- 3.6 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.
- 3.7 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.
- 3.8 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.
- 3.9 Notes that Council is implementing various additional strategies in combination with alcohol restrictions, including investigating a Christmas season event, delivering a backpacker establishment forum, increasing visitor and summer management program services and further developing strategies that minimise harm to vulnerable people.
- 3.10 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. KEY POINTS/ISSUES

- 4.1 Concerns regarding the impacts of alcohol consumption, anti-social behaviour, and public safety on the foreshore, and options to mitigate the associated risks, have been considered by Council over a number of years.
- 4.2 Despite significant planning and resource deployment each year through business-as-usual activities and the Visitor and Summer Management Program, there are persistent challenges that have become more difficult to anticipate, prepare for and manage in recent years. Service costs and staff resourcing continue to increase for Visitor and Summer Management.
- 4.3 The summer of 2017-18 was no exception. Increased security risks (as identified by Victoria Police), a large Christmas Day gathering of 5,000 people that involved excessive consumption of alcohol, anti-social behaviour and rubbish clean-up prompted the introduction of temporary alcohol restrictions in late December 2017, and a review of how the foreshore is managed, particularly during the peak season.
- 4.4 On 7 February 2018 Council considered a report, “Response to Manage Risk and Harm from Alcohol Consumption in Public Space”, which outlined a recent history of events and Council’s previous consideration of changes to its Local Laws relating to alcohol consumption in public spaces and the foreshore, and proposed an extension of the glass and alcohol restrictions until after Easter 2018.
- 4.5 In its resolution of 7 February 2018, Council:
- noted the limited definitive evidence base to inform a policy position;
 - noted a set of criteria that had been developed to assess the trial restrictions, including introduction of two additional criteria (a full list of criteria is provided in *Attachment 2*);
 - extended the temporary bans through to the 3 April 2018; and
 - requested Officers undertake community engagement and consider additional options to enhance the liveability, vibrancy and safety of the foreshore.
- 4.6 This follow-up report provides further information to inform Council’s decision making, including the feedback from community consultation, and proposes a foreshore visitor management approach that combines alcohol restrictions with a range of other actions that are consistent with the Council Plan 2017-27.

The drivers for consideration of change

- 4.7 The following changes to managing visitation to the foreshore are drivers for Council to consider change of current long term policy:
- 4.7.1 *Anti-social behaviour and recorded crime offences associated with alcohol consumption/misuse.*



Feedback from community, traders, Council officers and Victoria Police is that this is an ongoing problem. Official data through Crime Statistics Victoria is not yet available for the period October 2017 to March 2018; however, police have anecdotally reported a decrease in anti-social behaviour since the temporary alcohol restrictions were introduced.

Official *crime* data for the period October 2014 to September 2017 shows that on the **Port Phillip foreshore as a whole**:

- There was a total of 84 alcohol related offences over the 3-year period.
- The most common alcohol-related offence type was drunk and disorderly in a public place
- Recorded rates of all offence types were significantly higher in the December to March period (peak season), compared to October to November (Spring) and April to September (winter).

Broken down to the **St Kilda foreshore**, the data shows:

- There was a total of 38 alcohol related offences recorded over the three year period.
- The most common alcohol-related offence type was drunk and disorderly in a public place.
- Recorded rates of all alcohol related offence types were higher in December to March (peak season) compared to October to November and April to September, though not as significantly higher as data for the whole Port Phillip foreshore.

4.7.2 *Risks and cost arising from large unauthorised group gatherings involving consumption/excessive consumption of alcohol.*

In addition to New Year's Eve, for which there is a significant multi-agency operation to manage crowd behaviour and incidents, several recent unauthorised large crowd gatherings have been problematic:

- On 25 December 2015 a gathering on South Beach Reserve resulted in the closure of St Kilda Beach on Boxing Day and required the manual collection of 5.7 tonnes of litter the following day.
- On 26 January 2016 over 6,000 people RSVP'd and 19,000 registered interest in attending an unofficial Triple J Hottest 100 Party at St Kilda Beach. Officers and Victoria Police spent significant time and effort working to dissuade the organisers and eventually the unauthorised event was cancelled.
- On 25 December 2017 over 5,000 people gathered on South Beach Reserve where excessive alcohol consumption led to hospitalisations, a high number of medical interventions and one participant being hit by a tram. The cost to clean up and remediate the reserve was \$23,000.



Officer time spent coordinating the clean-up response, liaising with the community and dealing with media interest is estimated to have cost at least a further \$10,000. These costs were unbudgeted and a burden on ratepayers.

4.7.3 *A changed security environment for “crowded places”.*

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.

4.7.4 *Ongoing water safety risk from combining alcohol consumption and a beach/water environment.*

Due to alcohol contributing to the high proportions of drownings in Australia every year, Life Saving Victoria and the Royal Lifesaving Society invest heavily in a campaigns such as “Play it Safe Around Water”; “Don’t Drink and Drown this Australia Day” and “Alcohol and Water Don’t Mix”.

On Port Phillip beaches, 30 drowning deaths have been recorded by the Coroner since 2000. Alcohol was recorded by the Coroner as a factor in 30% of these drownings.

An independent risk assessment of the foreshore conducted by Life Saving Victoria in 2017 documents alcohol consumption along the municipality’s beaches as an extreme risk that increased the likelihood of deaths, risk-taking behaviour and reduced orientation of visitors.

4.7.5 *Impacts on residents’ amenity.*

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.

Some residents have pointed out that there are plenty of alternatives for those who wish to have a drink, other than the public spaces. This sentiment was reflected in some comments received through recent community engagement.



The media reporting of the 2017 Christmas day clean-up generated hundreds of residents documenting their amenity concerns on online forums.

The beach and foreshore reserve cleaning staff estimate that approximately 80% of litter they collect is from alcohol related products. A waste audit of foreshore bins during the period 17 February to 5 March (16 days) found only 7% of all rubbish deposited is from alcohol related waste. This demonstrates at a macro level that visitors to our foreshore are more likely to litter if bringing and consuming alcohol.

4.7.6 Impacts on traders.

Traders assert 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.

In December 2017 traders wrote to Council asking for tighter controls on alcohol in public spaces on the foreshore.

At the 7 February 2018 Ordinary Meeting, seven traders spoke strongly in support of alcohol bans on the foreshore.

4.7.7 Reputational damage – to the foreshore as a destination, and to Council.

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.

In their submissions, traders, St Kilda Tourism and Events and the Palais Theatre have pointed to reputational damage and low levels of perceived safety as a significant risk to their businesses and the economic vibrancy of the area.

Council too has been criticised in the mainstream and social media for being "unplanned", "unresponsive" and "not doing enough" to prevent incidents such as the Christmas Day gathering.

4.7.8 Minimising negative impacts upon vulnerable people by applying best practice public health centred-response to reducing harm from alcohol addiction and abuse, including binge drinking.

The evidence concerning local laws restricting the public consumption of alcohol provides mixed results. A paper 'Impacts of Public Drinking Laws' (National Drug Law Enforcement Research Fund) found that there is community support, improved perceptions of safety and improved amenity from local laws regarding public drinking. However, there is no strong evidence that public drinking bans reduce alcohol related crime or harm, and can result in negative impacts to marginalised groups.



Victoria Police has made a commitment to exercise powers of discretion to request tip-out with our community during the current alcohol restriction trials of our foreshore and streets.

In October 2017 the Victoria Government announced a program to support those with a disadvantage being issued fines.

4.7.9 *The increasing costs of the Visitor and Summer Management Program and the expense when things go wrong.*

Council's Visitor and Summer Management Program has grown in size and complexity since it originated in 2012, in response to concerns about visitor behaviour and litter on the foreshore.

In 2012, the budget was \$26,000 and the primary focus was on coordinating a New Year's Eve operation with relevant agencies and litter collections.

In 2017-18 the budget was \$350,000 pa, which includes additional local laws, waste education rangers, New Year's Eve response, Australia Day response, proactive communications, illegal camping management, litter picking service, additional waste services and public toilet cleaning.

Depending on the decision of Council, the annual budget may need to be increased further to fund increased costs from 2018-19 onwards. This is detailed later in the report.

- 4.8 The above operational and public space management drivers to consider change need to be considered alongside the broader health and wellbeing objectives of the Council Plan, which specifically aims to improve the overall health of our community, and highlights that a reduction in alcohol related harm is a Council priority.
- 4.9 An important lever available to Council to improve public health is to reduce the contexts in which alcohol is available and accessible. The assumption here is that by reducing public space where alcohol is permitted, overall consumption will be reduced.

The Experiences of Summer 2017-18

- 4.10 Significant preparation was undertaken in the lead up to the 2017-18 summer period to prepare the Visitor and Summer Management Program. Extensive liaison occurred with staff across the organisation and with Victoria Police and other Municipal Emergency Response partners. Staff resources were increased above previous years' levels for peak dates; permanent bin capacity on St Kilda promenade was increased by 6,000 litres though increased bin sizes; and an additional 10,000 litres of temporary bins were brought in to cater for crowds.
- 4.11 A summary of the Program is contained in *Attachment 3*



- 4.12 During December 2017 a number of public safety and criminal incidents occurred, which, when combined with extra intelligence from Victoria Police, prompted the introduction of extended temporary alcohol restrictions on the foreshore:
- On 13 December 2017 a group of visitors gathered on the St Kilda foreshore and proceeded to cause damage to private property and harm to individual members of the public.
 - 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.
 - On 19 December 2017, in response to increased risk, Victoria Police requested Council to expand the existing alcohol restrictions.
- 4.13 Due to the timing of these requests, Councillors were unable to consider them. Therefore, the Chief Executive Officer, under delegation, extended the alcohol restrictions to include a complete ban across the municipality from 26 December 2017 to 4 January 2018. This was subsequently extended to 15 February 2018 by the Acting Chief Executive Officer, under delegation, following the Christmas Day unauthorised gathering of 5,000 people on the foreshore.
- 4.14 The temporary foreshore restrictions were extended until 3 April by Council resolution on 7 February 2018.

Observations and data from the trial period

- 4.15 Visitation:
- Visitor numbers have been the same as previous years.
 - Councils officers have observed a more culturally diverse and broader age demographic of visitors to the foreshore, especially on peak days. An increase in the number of families and young people (teenagers) at the beach has been reported.
 - Traders have reported visitation is on par with previous years.
- 4.16 Visitor behaviour:
- Police report a decrease in alcohol related crime violence and public order issues in and around the foreshore since the alcohol bans were introduced in December.
 - Local Laws officer data shows that between 2 January 2018 and 25 February 2018:
 - 273 tip-out directions were made; 268 (98%) of these were in St Kilda.
 - 172 alcohol warnings were issued; 162 (94%) of these were in St Kilda.
 - 470 alcohol education actions were taken; 333 (71%) of these were in St Kilda and 104 (22%) in Elwood (Point Ormond).



- 683 glass and alcohol warnings were given; 582 (85%) of these were in St Kilda.
- 20 alcohol infringements were issued; 13 in St Kilda and 7 across the Langridge Street to Sandridge beach area.
- Summer Rangers conducted approximately 100 face-to-face surveys and visitor audits in relation to the alcohol bans (from which the overall feedback from the respondents was that they were supportive of the bans and believed it had made a mild improvement to amenity in the area).
- Traders have reported a reduction in public safety incidents, and perceptions of public safety from their staff and patrons have improved.

4.17 Carparking:

- The data shows a 1.5% increase in parking transactions in the St Kilda foreshore area compared to the 26 December 2017 to 10 February 2018 period last year.
- Immediately prior to the trial period, between 10 and 25 December, there was a reduction of 5% in the number of parking transactions compared to last year.
- Overall, parking levels have been relatively stable, with a less than 1% increase in car parking transactions on the St Kilda foreshore in the past two years.

4.18 EFTPOS transactions:

- An independent report on EFTPOS transactions in St Kilda shows that there has been a negligible change in alcohol spend over the past two years, during the period 1 December to 31 January.
- During the trial period, between 26 December and 31 January there was a 2.6% increase in alcohol sales, with liquor stores recording the highest increase.
- Immediately prior to the trial period, between 1 and 25 December, there was a 2% decrease in alcohol sales in drinking establishments and liquor stores compared to the same period in 2016.

4.19 Observations of Council field staff during the trial period indicate the trial restrictions of 2017-18 have been effective in helping to manage visitor behaviour on the foreshore. These observations have been documented in *Attachment 4*.

4.20 Despite concerns to the contrary, there has been no decrease in visitation to the foreshore. Beach numbers and carparking levels have been comparable to the previous two years; traders report a busy and productive summer and EFTPOS data shows that alcohol sales actually increased in drinking establishments and liquor stores during the trial period.



Benefits of ongoing alcohol restrictions on the foreshore

- 4.21 Given the above, this report proposes that some level of further alcohol restriction on the foreshore, together with a range of other multidisciplinary actions, would play a significant role in improving:
- public safety
 - perceptions of safety
 - residential amenity
 - trader amenity and confidence
 - the reputation of the foreshore as an inviting, accessible and welcoming place for all visitors
 - the diversity of visitors to the foreshore.
- 4.22 Extended alcohol restrictions could also
- reduce the likelihood of unplanned large crowd gatherings as the 'alcohol-permissive' appeal of the area would be diminished; and
 - contribute to the reduction in 'alcohol harm' objectives of the Council Plan 2017-27 by reducing the contexts in which alcohol can be consumed.

What do other Councils do and what have they experienced from alcohol restrictions?

- 4.23 Manly, Bondi and Coogee beaches now have 24/7 bans on alcohol consumption on the beach/foreshore.
- 4.24 These destinations experience very large crowds and a high number of international visitors including backpackers, and none report a decline in visitation or economic activity since the bans were introduced.
- 4.25 All councils work in close partnership with police, with varying levels of ranger enforcement activity.
- 4.26 All have experienced large impromptu backpacker parties, and advise that vigilance in enforcement and high levels of social media monitoring are part of their strategy, especially in Bondi where full bans have been in place for more than 10 years.
- 4.27 The Coogee 24/7 ban was introduced in February 2017 after a major backpacker event on Coogee Beach on Christmas Day prompted residents to call for action. The previous lower levels bans that had been in place leading up to 2017, focussed on peak dates and allowed drinking between 12 noon – 4 pm, but these were proving ineffective. This year the backpackers assembled at Little Bay, but this gathering was shut down quickly by police once notified.



- 4.28 All three NSW councils point to vigilance, the close partnership with police, and clear signage as being instrumental in making the bans enforceable.

What does our community say about alcohol restrictions?

- 4.29 Council conducted community engagement to hear from residents, visitors and workers about any future potential alcohol restrictions. The results of the engagement are included in the Engagement Summary Report attached in *Attachment 5* and summarised in Section 5, Consultation and Stakeholders.

Strategies regardless of options

- 4.30 For optimum impact, the introduction of extended alcohol restrictions should be implemented in combination with a range of other actions that are either currently underway or are proposed. These actions include, but are not limited to:

Underway:

- Provision of clear information with regard to liquor licence planning applications and licensee referrals in our role as planning authority
- Investigations into the potential for, costs and implications of, a Christmas Season event for visitors to St Kilda beach
- Continuing the strong partnership with police and life saving clubs who support the Council in managing the foreshore during summer
- Delivering a forum with backpacker establishment managers to seek feedback that could improve Visitor and Summer Management planning in future years.

Proposed:

- Work with Life Saving Victoria and other agencies to reduce risks and consequences of consuming alcohol near water
- Evaluation of the efficacy of restrictions on reducing public risks, unplanned gatherings, anti-social behaviour and sense of safety, to inform future Visitor and Summer Management programs
- Improved visitation data collection to inform future education and enforcement programs
- Increased litter management activity, education and enforcement, utilising additional Local Laws officers and Summer Rangers who are engaged to support the new foreshore glass ban (subject to Council budget process for 2018/19)
- Increased social media monitoring to inform planning and resourcing for peak season and peak days
- Consideration of the funding offer from the Victorian Government to install CCTV on the foreshore



- Further development of strategies that minimise harm to vulnerable people.

What level of alcohol restrictions should apply?

4.31 A sliding scale of eight alcohol restriction options was considered in forming the recommendation of this report. These options range from a total ban, all hours across the entire foreshore, to a ban only on the St Kilda foreshore during peak days and times. The base case of no change to the current restrictions was also looked at.

4.32 The following outlines the eight options and officer comments against the assessment criteria:

	Where	Alcohol Ban - when	Dates applied	Assessment against criteria
1	Whole Foreshore	Year round Total Ban All days, all hours	All year	<p>Considered best practice for areas of beach with large crowds by Police. Manly, Bondi and now Coogee in Sydney have moved to this level of restriction due to high visitation and the need to mitigate impromptu mass gatherings.</p> <p>Policy is easy to understand and maintains good working relationship with partners, it focuses controls across the entire highest risk period and is consistent for all across the foreshore.</p> <p>Displacement is controlled to inland public spaces, reducing risks associated with water safety.</p> <p>Assessment Summary</p> <p>Little evidence that risks are high enough across the whole foreshore to warrant this level of ban year round, but should be reviewed if situation changes.</p> <p>It is assessed that other options developed present a better-balanced outcome with a risk based approach.</p>
2	Whole Foreshore	Peak Season Total ban, all hours	1 November to 31 March inclusive	<p>Policy is easy to understand and maintains good working relationship with partners, it focuses controls across the entire highest risk period and is consistent for all across the foreshore.</p> <p>Enforceable, communicable via signage and doesn't cause confusion to visitors (can't argue they didn't understand signs, didn't know).</p> <p>Displacement is controlled to inland public spaces reducing risks associated with water safety. Alcohol related drownings have occurred in this period, all along the foreshore.</p> <p>Likely support from Police, but may prefer year round ban.</p> <p>Assessment Summary</p> <p>This option is considered the best match to criteria. It is easy to understand, it also best aligns geographically with glass restrictions and timing of 'dog on beach' restrictions & main lifesaving patrol season.</p>

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	Where	Alcohol Ban - when	Dates applied	Assessment against criteria
3	Whole Foreshore	Limited Peak Season Total ban all hours during summer school holidays and peak days between 1 Nov to 31 March	Melbourne Cup Eve and Cup Public Holiday 18 Dec to 31 Jan inclusive March long weekend	<p>Focuses controls across part of the peak period, including school holidays when visitation of children is highest; however vulnerable to risks and harm incidents in Nov, Dec, Feb, March.</p> <p>Very difficult to communicate and understand, can cause confusion. This leads to enforcement challenges for Police and Local laws Officers.</p> <p>Multiple signs required together with heavy reliance on other communication channels. The option does align geographically with glass restrictions.</p> <p>Displacement is controlled to inland public spaces reducing risks associated with water safety. Alcohol related drownings have occurred in this period, all along the foreshore.</p> <p>Assessment Summary</p> <p>This option is considered a workable solution as it applies the risk based view to address likely dates when large gatherings impact the amenity of residents and other visitors along the entire foreshore. It does not address high risk period of December or February when we often have hot days.</p> <p>However notes the multiple periods make the policy difficult for visitors and residents to understand and therefore implement enforcement. It is unlikely to be supported by Victoria Police.</p>
4	St Kilda Foreshore Marina Reserve (Wordsworth Street) to West Beach (Langridge Street)	Year round Total Ban All days, all hours	All year	<p>Focuses controls on highest risk area, with highest visitation and easiest access to multiple alcohol retailers, transport etc.</p> <p>Simple to communicate and understand with a map. Enforceable with likely support from Police. Does not match geographically to glass restrictions, requiring a separate signage implementation plan.</p> <p>Specific area ban could displace the issues to other parts of the foreshore. Alcohol related drownings have occurred in this period, all along the foreshore.</p> <p>Options within walking distance for those who wish to have drink in public space.</p> <p>Assessment Summary</p> <p>Little evidence that risks are high enough across the whole year to warrant this level of ban year round; but should be reviewed if situation changes.</p> <p>It is assessed other options developed present a better balanced outcome with a risk based approach.</p>

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	Where	Alcohol Ban - when	Dates applied	Assessment against criteria
5	St Kilda Foreshore Marina Reserve (Wordsworth Street) to West Beach (Langridge Street)	Peak Season Total Ban all days, all hours	1 Nov to 31 March inclusive	<p>Focuses controls on highest risk area, with highest visitation and the period when most incidents occur. Risks reduce in the off season, but not completely. Alcohol related drownings have occurred in this period, all along the foreshore.</p> <p>Simple to communicate and understand with a map. Enforceable with likely support from Police. Does not match geographically to glass restrictions, requiring separate signage implementation plan.</p> <p>Options within walking distance for those who wish to have drink in public space. Specific area ban could displace the issues to other parts of the foreshore.</p> <p>Assessment Summary</p> <p><i>Recommended Option</i></p> <p>Whilst this option is not considered the best match to criteria, it complies with a large majority of the outcomes and addresses risk from a geographic and timing perspective.</p> <p>It aligns the restriction's timing to 'dog on beach' restrictions, main lifesaving patrol season and is likely to gain support from Victoria Police.</p> <p>It provides the best balance between managing the risks in the peak season and still providing opportunities for residents to enjoy appropriate alcohol consumption on the foreshore away from the higher risk St Kilda foreshore.</p>
6	St Kilda Foreshore Marina Reserve (Wordsworth Street) to West Beach (Langridge Street)	Limited Peak Season Total ban all hours during summer school holidays and peak days between 1 Nov to 31 March	Melbourne Cup Eve and Cup Public Holiday 18 Dec to 31 Jan inclusive March long weekend	<p>Focuses controls across part of the peak period, including school holidays when visitation of children is highest, however vulnerable to risks and harm incidents in Nov, Dec, Feb, March.</p> <p>Very difficult to communicate and understand and can cause confusion. This leads to enforcement challenges for Police and Local laws Officers.</p> <p>Multiple signs required together with heavy reliance on other communication channels. The multiple periods make the policy difficult for visitors and residents to understand and therefore implement enforcement.</p> <p>Specific area ban could displace the issues to other parts of the foreshore. Alcohol related drownings have occurred in this period, all along the foreshore.</p> <p>Options within walking distance for those who wish to have drink in public space.</p> <p>Assessment Summary</p> <p>This option is considered a workable solution as it applies the risk based view to address likely dates and precinct large gatherings would impact the amenity of residents and other visitors on the foreshore.</p> <p>However notes the implementation of this option are complex from a enforcement and education perspective and therefore more difficult to implement. It also does not cover the full peak season presenting risks during periods of December and February when we often have hot days.</p>

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	Where	Alcohol Ban - when	Dates applied	Assessment against criteria
7	St Kilda Foreshore or Whole Foreshore	<p>Selective Dates</p> <p>Total ban all hours on specific peak dates and/or public holidays</p> <p>1 Nov to 31 March</p> <p>+ <i>Off season: Extend hours of existing ban to commence at 5pm and apply to 12:00pm the following day</i></p>	<p>Melbourne Cup Eve and Public Holiday</p> <p>Extended Christmas and New Years Period (20 Dec to 3 Jan)</p> <p>26-27 January</p> <p>March long weekend</p>	<p>Focuses controls on highest risk area, with highest visitation and the period when most historic incidents occur. Remain vulnerable to risks and harm incidents in Nov, Dec, Feb, March.</p> <p>Confusing and therefore very difficult to communicate and enforce. Police are unlikely to support.</p> <p>Unlikely to be effective.</p> <p>Unable to use fixed signage effectively (relying on expensive dynamic signs, creation and installation of temporary signs and personalised media and online communications)</p> <p>Resource intensive for CoPP officer planning and management (requires scale up/down etc).</p> <p>Assessment Summary</p> <p>This option is considered a challenging option to implement.</p> <p>Whilst it proposes a risk based view to key selective dates that are based around public holidays and provides a improved restriction to current state, the implementation is complex to ensure residents and community are aware of when these bans are in place.</p> <p>To effectively communicate these dates and be enforceable would require extensive coordination, cost and additional staff resourcing compared to other options.</p>
8	BASE CASE	No change – apply existing restrictions	<p>All year round (8pm – 9am)</p> <p>New Years Period, all day (30 Dec to 2 January)</p> <p>Australia Day (commence at 5pm)</p>	<p>Current restrictions have proven ineffective in mitigating the likelihood of impromptu mass gatherings and are confusing to communicate to visitors as they are variable throughout.</p> <p>Assessment Summary</p> <p>Not recommend as as it does not respond to the issues identified.</p>

Options assessment

4.33 In evaluating these options, consideration was given to:

- the criteria that had been included in the 7 February Council Report;
- the community engagement feedback;
- the submissions and public speakers’ representations to the 7 February Council Report;
- the data and observations from the 2017-18 trial restrictions;
- the experiences of other councils that have alcohol restrictions on their beaches and foreshore; and
- an assessment of the costs of implementing whichever option is decided.



- 4.34 It is proposed that alcohol restrictions be introduced on a permanent basis due to:
- the costs involved delivering dynamic signage, creating and installing temporary signage;
 - the staffing requirements to coordinate and implement targeted restrictions and operations on higher risk dates
 - the ability to run a comprehensive communication and education campaign;
 - the fact that it will be confusing for the community and non-local visitors if the rules continue to change. Any momentum gained this year around culture change could be lost if the restrictions don't 'stick'.
- 4.35 All options for a change to the foreshore alcohol restrictions are in addition to the current four-day municipal-wide ban across the New Year's Eve period.
- 4.36 The municipality has an existing restriction of alcohol from 8 pm to 9 am the following day. To support policy setting of appropriate alcohol consumption it is proposed to amend this existing local law to apply from 8 pm to 12 pm.
- 4.37 A new restriction is also proposed – to ban alcohol consumption in public spaces municipal-wide on Australia Day (the current restriction declares the municipality alcohol free). This is in response to the increasing risks associated with Australia Day including:
- Very large crowds combined with (usually) warm weather;
 - Conflicting activist groups using the date to promote their cause;
 - The propensity for violence; and
 - Police resources being stretched with the large crowds and high numbers of events in Melbourne on that date.
- 4.38 While noting that an entire foreshore restriction during peak season (Option 2) best addressed the assessment criteria, officers are recommending the St Kilda foreshore during peak season (Option 5) as it provides the best balance between managing the risks in the peak season and still providing opportunities for residents to enjoy appropriate alcohol consumption on the foreshore away from the higher risk St Kilda foreshore.

5. CONSULTATION AND STAKEHOLDERS

- 5.1 Council undertook community engagement from 16 February to 6 March 2018.
- 5.2 The primary methods of participation were via an online survey hosted on Council's *Have Your Say* engagement website, and through a series of intercept surveys conducted at various locations across the municipality.



- 5.3 Officers acknowledge feedback that the survey had a perceived bias toward restrictions – the survey was designed to understand the community’s appetite for, and concerns around, alcohol restrictions with open questions to seek all forms of feedback, including the opportunity to express opposition to any alcohol restrictions.
- 5.4 In all, a total of 551 people participated in the consultation; 413 (75.6%) live in the City of Port Phillip.
- 5.5 In summary, key statistics from the community consultation surveys undertaken in February-March 2018 found that:
- 84.6% of respondents were aware of the alcohol restrictions in place on the foreshore, and 78.8% said that they were easy to understand.
 - When asked about time periods that any potential alcohol restrictions should apply, respondents said:
 - Year-round 32.3%
 - Seasonally 25.4%
 - Other 42.3%
 - When asked where alcohol restrictions should apply, respondents said:
 - Across whole Municipality 12.5%
 - Along entire foreshore 17.1%
 - St Kilda foreshore precinct 24.1%
 - Maintain existing restrictions 10.9%
 - We shouldn’t have restrictions 35.4%
 - There was an almost 50/50 split Yes/No on whether there should be stronger alcohol restriction on key dates such as Christmas Day, Australia Day.

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.

7. FINANCIAL IMPACT

- 7.1 Depending on the option decided by Council, the funding and service level to implement the alcohol and glass restriction will be considered as part of the 2018/19 budget process.



- 7.2 It is likely that some future cost savings would be achieved if the alcohol restrictions are successful in preventing asset damage and excess litter clean-ups.

8. ENVIRONMENTAL IMPACT

- 8.1 A high volume of litter waste generated on the foreshore is from alcohol related products. This waste ends up in the bay, presenting a risk to our marine environment.

9. COMMUNITY IMPACT

- 9.1 This aspect has been discussed earlier in the report.

10. ALIGNMENT TO COUNCIL PLAN AND COUNCIL POLICY

- 10.1 Direction - We embrace difference, and people belong

1.1 - A safe and active community with strong social connection. Priority to collaborate with partners to understand and minimise the harms associated with alcohol and drug use.

- 10.2 Direction - We have smart solutions for a sustainable future

3.5 - A sustained reduction in waste. Work towards outcome by managing waste collection to improve amenity and achieve cleaner streets, public spaces and foreshore areas.

- 10.3 Direction - We are growing and keeping our character

4.1 – Liveability in a high density City. Work towards outcome by designing, activating and managing public spaces that are safe and inviting places for people to enjoy.

- 10.4 Direction - We thrive by harnessing creativity

5.2 – A prosperous City that connects and grows business. Work towards outcome by partnering to promote Port Phillip as a visitor destination in a way that respects local amenity.

- 10.5 The following relevant health and wellbeing outcomes are documented within the Council Plan;

Unfavourable

- Criminal offences – The rate of criminal offences is among the highest in the state
- Alcohol related harm – Significantly greater number of residents identified as being at risk of short-term harm from alcohol; and the number of people



identified as being at very-high risk of short-term harm is the highest in the state.

- Alcohol consumption – Significantly greater number of residents who agree that getting drunk every now and then is okay.
- Alcohol related injuries – Significantly higher rates of alcohol related ambulance attendances, hospitalisations, emergency department presentations and assault, including the highest rate of male alcohol related hospitalisations in the state.

Favourable

- Personal safety – Almost two-thirds of Port Phillip residents feel safe walking alone in their local area after dark, which is significantly more than the state average.

11. IMPLEMENTATION STRATEGY

11.1 TIMELINE

- Any revised alcohol restrictions will be incorporated into our Visitor and Summer Management program, planning for 2018-19, which commences in May 2018.
- The gazettal of any new alcohol restrictions will be completed within a month of the resolution being made.

11.2 COMMUNICATION

- A media release communicating any new alcohol restrictions will be issued as there has been previous media interest in this topic.

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

- 1. Attachment 1 - Submissions for and against alcohol ban**
- 2. Attachment 2 - Assessment criteria**
- 3. Attachment 3 - Visitor and summer management program overview**
- 4. Attachment 4 - Observations from officers in the field**
- 5. Attachment 5 - Future alcohol restrictions community engagement summary report**