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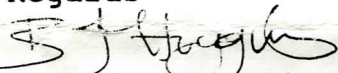
CITY OF BROADMEADOWS

29/3/1993

For your information please find attached the report regarding Drinking in Public Places This report was presented to Council on the 29th March 1993.

If you have any questions please contact me on 301 3237.

Regards


Barbara J Huggins
PROJECT WORKER.



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PASCOE VALE ROAD, BROADMEADOWS, 3047

ITEM CS 5 DRINKING IN PUBLIC PLACES (048.1)

Background

At the Council meeting of 30.11.1992 it was agreed to undertake a consultation regarding Drinking in Public Places.

Outcome

Through the consultation process, it became apparent that there are many strategies required to address this issue. These are outlined in the Recommendations of this report.

It was clear that the issues for Olsen Place are different to those at Justin Avenue and Post Office Place. The strategies suggested in this report are:

- the investigation of out of the way seating for Justin Avenue and Post Office Place;
- the introduction of a Local Law for Olsen Place only;
- negotiating more Police presence in all areas with the Police.

Introduction

The consultation process agreed to was to:

- Initiate formal discussion with the police about the current laws and their limitations.
- Identify the background of the problem and why it has arisen relatively recently
- Formal discussion between shopkeepers and Council about problems
- Analysis of impact of local laws on same issues in other councils

Since that time a working party has been established and consultation had with:

- All businesses and services in the Post Office Place, Olsen Place and Justin Avenue shopping districts;

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- Broadmeadows Community Legal Services;
- Senior Sergeant David Clough of the Victoria Police;
- Residents who have wished to make comment and those involved in the drinking at the centres;

General Issues Raised -

There were a variety of issues as a result of the consultation with many being similar. These were:

- Concern at the image of the centres, "it doesn't look good", "they look like the stereo type of Broadmeadows", or on the other hand "they are Broadmeadows people and that's what some Broadmeadows people look like";
- Tins and bottles are being left beside garbage cans, creating a health risk, because garbage cans are full and not cleared regularly enough;
- A general feeling that if the 'drinkers' moved on the problem would go;
- Public toilets were not accessible at times appropriate to individual centres. This affected all users of the centres;
- Groups of men (mainly) congregating in large numbers were a perceived threat and were intimidating to some shoppers;
- General feeling that the threat diminished once people got to know each other;
- Many of the drinkers were known by the businesses and in fact brought their business to the centres;
- Drinkers often used loud and offensive language and behavior amongst themselves;
- Some violence usually towards each other was frightening to others;

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- Limited or no out of way seating or shade for people to meet;
- The behavior of the people hanging around was the issue.
- It was suggested that if a Local Law is introduced, it needs to affect all shopping areas in the City.

SPECIFIC ISSUES -

The following are the issues that were raised specific to the individual centres.

OLSEN PLACE

- Large numbers of men, women and children were intimidating to some;
- Businesses were concerned that potential shoppers were hesitant because of the way that the centre looks;
- There were two incidents cited by all people but no one had seen either of them;
- Cans/tins left laying around the bottom of full garbage bins;
- Harassment in general in the lane beside the carpark;
- Toilets are not open at appropriate hours;
- Centre generally looks unattractive and the car park is messy;
- Problem is not as great now as it was two / three years ago;
- People expressed that they were hesitant to call the police because they felt that the police don't fully act on current laws; some were also concerned at possible recrimination although this had never happened;

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- The Coffee shop was mentioned by many people as intimidating for women and it was suggested that drinking occurred there.

JUSTIN AVENUE

- Large number of men (approx. 12) are perceived as threatening;
- No public toilets
- Men often have their children playing in the park but there is a sign saying 'no alcohol' so they stand on the other side of the road.
- General view is that if they moved across the road the problem would be solved.
- No negative incidents were cited

POST OFFICE PLACE.

- By far the greatest concern raised was regarding the amusement parlour
- General issue was that the drinkers didn't 'look good' standing around
No tables, chairs or shade for people to sit and meet.
- Of the incidents cited none involved the drinkers.
- Although there has never been an 'incident' there has been some harassment i.e. wolf whistles and women from the shops did not like to walk to their cars alone.

LEGAL ISSUES

The Police suggested that the Summary Offences Act, which deals with abusive language, drunken behavior, offensive language, and assault is enough to deal with the issues around shopping centres. Although it is often difficult to prove an offence has taken place, if no one is prepared to witness the alleged offence.

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It was explained that more walk throughs by the police in areas where there has been complaints have seen a decrease in complaints.

However there was concern that the police had no powers to move people on, but cited another problem area that was an issue in some residential streets where residents had a drink outside their houses but not at the shopping centres. It was explained that that is a separate issue not covered in the parameters of this consultation.

LOCAL LAW

Discussion around the introduction of a Local Law raised many issues. For instance if a Law is introduced City wide, what impact will that have on parks and reserves? There was a suggestion that Council could get the Police to 'not worry' about parks and reserves but this raises serious issues of inconsistency and possible discrimination.

Discussions with other Municipalities that have introduced the Local Law have suggested that it works as a deterrent for the general community but it hasn't addressed the people that it was introduced to move on. Morwell have issued 5 infringements since the introduction of their By-law but have had none paid.

This is consistent with some local drinkers suggesting that they will not pay infringement notices that they believe can be avoided.

On reading many other Local Laws, there are a variety of issues that can be generally included in the following areas:

1. Municipal wide and at any time.
2. Police and/or By-Laws enforcement.
3. Time restricted, designated areas, permit for drinking, i.e. family B.B.Q.
4. Specific areas having specific Local Laws i.e. City of Heidelberg, has introduced individual laws for individual shopping centres recognising different neighborhood issues and needs.

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Discussions with shopkeepers regarding a Local Law did not bring any comprehensive result. Although some felt that if there were no other alternatives a Law would be effective, most did not want this to cover the entire Municipal area. Many felt that shopping centres should not be for people to congregate and drink, as this conflicted with the majority of the community using the shopping centre legitimately. The drinkers used the shopping centres for drinking because it was near the bottle shop or TAB. Interestingly enough, the drinkers congregating at the rear carpark in Olsen Place did not agree that drinking should be allowed in Olsen Place.

GENERAL STRATEGIES

It has become obvious with the issues raised that no one strategy is going to work and that a variety of options need to be explored.

We suggest the following options:

- A. That Council negotiate with the Police to undertake regular 'walk throughs' of Olsen Place. Post Office Place and drive past of Justin Avenue shopping centres.
- B. That Council encourages the community to act by phoning the police if incidents occur and that the Police use existing powers to deal with the complaints.
- C. That Council investigates the cost of installing seats, tables and shade in the park on the corner of Justin Avenue and Daley Street and remove the sign regarding drinking there.
- D. That Council investigates the logistics of installing tables, seats and shade in the first 4 carspaces on the north side of the shoe repair (facing Post Office Place). We recognize the full implications of this will need to be explored, given the parking developments in the area. It may be possible to identify another site that relocates the drinkers, without compromising car parking.

These strategies would be for a trial period of 6 months to be reviewed in the context of the introduction of a Local Law for Post Office Place and the changes in Justin Avenue.

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- E. That Council investigates the introduction of a Local Law designated to the area known as Olsen Place. This law would primarily be to move people on and would be enforced by the Victoria Police. This would carry with it a trial period of 1 year.
- F. That Barbara Huggins the Project Officer for Council undertake a community education campaign to inform the community of the outcome of Council's decisions regarding this matter.

Likely Implications

The Olsen Place Traders who wanted a Local Law, wanted it applied to all shopping centres in the City. There is no evidence that this is required. It is likely that those traders will not be happy with this recommendation.

The recommended solutions for Justin Avenue and Post Office Place had general support from customers and shopkeepers.

Recommendation

That:

- 1) Council accepts the report;
- 2) Council adopts strategies A to F regarding the issue of drinking in public places.

JOHN KARAGEORGE, CITY PLANNER
BARBARA HUGGINS, PROJECT OFFICER
PARAS RAM, CITY HEALTH SURVEYOR
PRUE MANSFIELD, MANAGER COMMUNITY SERVICES.

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ITEM CS 5 DRINKING IN PUBLIC PLACES (Contd.)

ITEM CS 5 Cr. Lewis moved, Cr. Stone seconded

That the recommendation be adopted by Council.

AMENDMENT:

Cr. Simic moved, Hctor seconded

That a report be presented to a Special Meeting of Council on the implementation of a Local Law banning the drinking of alcohol in Shopping Centres and Railway Stations within the City of Broadmeadows.

Carried

QUESTIONS TO MANAGEMENT : NIL