

7.1.5 DECLARATION OF ALCOHOL-FREE AREAS

Responsible Manager:	Greg Talbot, Manager Community Amenity
Responsible Director:	Peter Panagakos, Director City Development

RECOMMENDATION

That Council

1. **Notes the advice from Victoria Police, Monash Local Area Command, confirming ongoing issues with alcohol related anti-social behaviour in Oakleigh, Clayton and Glen Waverley Activity Centres, and that Victoria Police supports the continuation of these areas being declared as Alcohol-free Areas to enhance public safety and community amenity.**
2. **Acknowledges the lack of recent or current intelligence indicating a risk of alcohol related anti-social behaviour at Galbally Reserve in Hughesdale, and that it is not proposed to re-declare this area as alcohol free.**
3. **Declares specific sections of the Oakleigh, Clayton, and Glen Waverley Activity Centres, excluding those areas covered by liquor licences, as Alcohol-free Areas in accordance with Clause 54 of Community Safety and Amenity Local Law 2024, including:**
 - a) **All roads, municipal places, and public places within the Oakleigh Activity Centre as shown outlined in red in Attachment One.**
 - b) **All roads, municipal places, and public places within the Clayton Activity Centre as shown outlined in red in Attachment Two.**
 - c) **All roads, municipal places, and public places within the Glen Waverley Activity Centre as shown outlined in red in Attachment Three.**
4. **Directs the Chief Executive Officer to publish a Notice in the Victorian Government Gazette enabling Victoria Police officers to enforce Clause 54 of Community Safety and Amenity Local Law 2024 that regulate the possession and consumption of alcohol.**

INTRODUCTION

The purpose of this report is to propose that Council re-designate certain areas within the Oakleigh, Clayton, and Glen Waverley Activity Centres as Alcohol-free Areas, pursuant to the Community Safety and Amenity Local Law 2024.

COUNCIL PLAN STRATEGIC OBJECTIVES

Sustainable City

Ensure an economically, socially, and environmentally sustainable municipality.

BACKGROUND

Since 1995, Council's Local Laws have included a provision that permits the declaration of Alcohol-free Areas. Between 1998 and 2010, Council designated all public places, excluding those areas

covered by liquor licences, within the Oakleigh, Clayton, and Glen Waverley Activity Centres as Alcohol-free Areas. Additionally, in 2007, in response to concerns about anti-social behaviour, Galbally Reserve in Hughesdale was declared an Alcohol-free Area between 10:00 PM and 10:00 AM.

These controls are typically enforced by Victoria Police under the provisions of the Local Government Act 1989 which allows Council to issue a Notice in the Victorian Government Gazette, enabling police officers to enforce clauses of the Local Law that regulate the possession and consumption of alcohol.

The Community Safety and Amenity Local Law 2024 came into effect on 1 February 2025 and includes the following provision:

54 Consumption of Alcohol

54.1 A person must not:

54.1.1 consume any alcohol; or

54.1.2 have in their possession any unsealed container of alcohol

in any place which Council declares from time to time by resolution to be a prohibited place for the purpose of this clause 54.

Penalty: 10 Penalty Units

With the commencement of the new Local Law, it is an opportune time for the Council to reaffirm that the Oakleigh, Clayton, and Glen Waverley Activity Centres should continue to be designated as Alcohol-free Areas. Additionally, Council should reconsider the necessity of maintaining Galbally Reserve as an Alcohol-free Area.

DISCUSSION

Designating Alcohol-free Zones offers several benefits in terms of safety and amenity, especially in light of the State Government's decriminalisation of public drunkenness. Alcohol-free Areas help reduce incidents of alcohol-related violence and anti-social behaviour, contributing to a safer environment for residents and visitors. These zones also promote a more pleasant and welcoming atmosphere in public spaces, encouraging greater community use and enjoyment.

Clear regulations regarding alcohol consumption assist law enforcement agencies, such as Victoria Police, in maintaining order and addressing issues promptly. Furthermore, reducing public alcohol consumption can lead to better health outcomes for the community by minimizing alcohol-related harm and promoting healthier lifestyles.

Victoria Police, through the Monash Local Area Command, have confirmed that the Activity Centres declared as Alcohol-free Areas continue to experience ongoing issues with anti-social behaviour, particularly in Oakleigh. They have recommended that these designations remain in place to help manage and mitigate these issues effectively. However, they have indicated that there is no recent or current intelligence to confirm that Galbally Reserve is at risk of anti-social behaviour. Therefore, officers do not recommend re-declaring this area as an Alcohol-free Area.

FINANCIAL IMPLICATIONS

There are no financial implications to this report.

POLICY IMPLICATIONS

There are no policy implications to this report.

CONSULTATION

Community consultation was not required.

SOCIAL IMPLICATIONS

Alcohol-free Areas help reduce incidents of alcohol-related violence and anti-social behavior, contributing to a safer environment for residents and visitors

HUMAN RIGHTS CONSIDERATIONS

There are no human rights implications to this report.

GENDER IMPACT ASSESSMENT

A GIA was not completed because this policy/program/service does not have a 'direct' and 'significant' impact on the community.

CONCLUSION

Between 1998 and 2010, Council designated all public places, excluding those covered by liquor licences, within the Oakleigh, Clayton, and Glen Waverley Activity Centres as Alcohol-free Areas. Additionally, in 2007, Galbally Reserve in Hughesdale was declared an Alcohol-free Area between 10:00 PM and 10:00 AM.

Feedback from Victoria Police confirms that these areas, with the exception of Galbally Reserve, should continue to be the subject of alcohol-related anti-social behaviour. With the commencement of the new Local Law, it is an appropriate time for Council to reaffirm that the Oakleigh, Clayton, and Glen Waverley Activity Centres should continue to be designated Alcohol-free Areas.

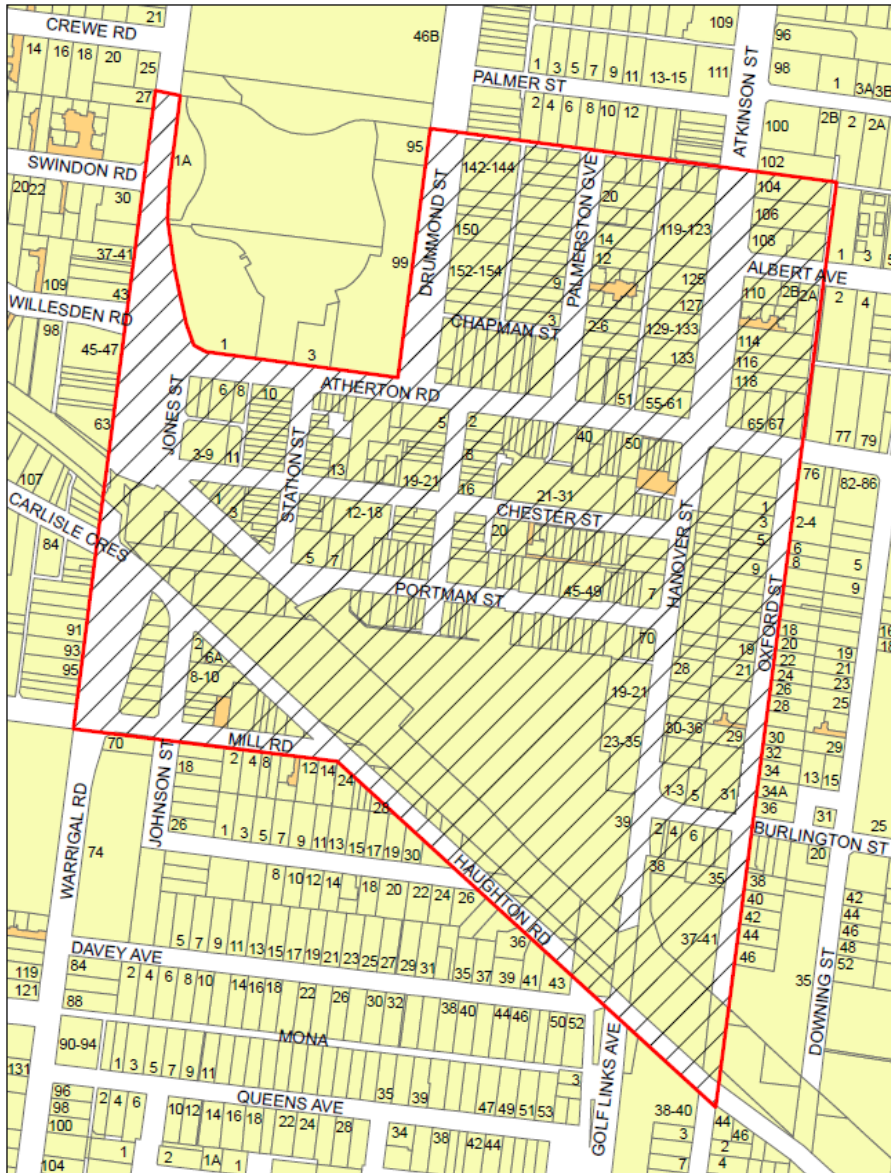
ATTACHMENT LIST

1. Attachment One - Declaration of Alcohol-free Area - Oakleigh [7.1.5.1 - 1 page]
2. Attachment Two - Declaration of Alcohol-free Area - Clayton [7.1.5.2 - 1 page]
3. Attachment Three - Declaration of Alcohol-free Area - Glen Waverley [7.1.5.3 - 1 page]



Declaration of Alcohol-free Area

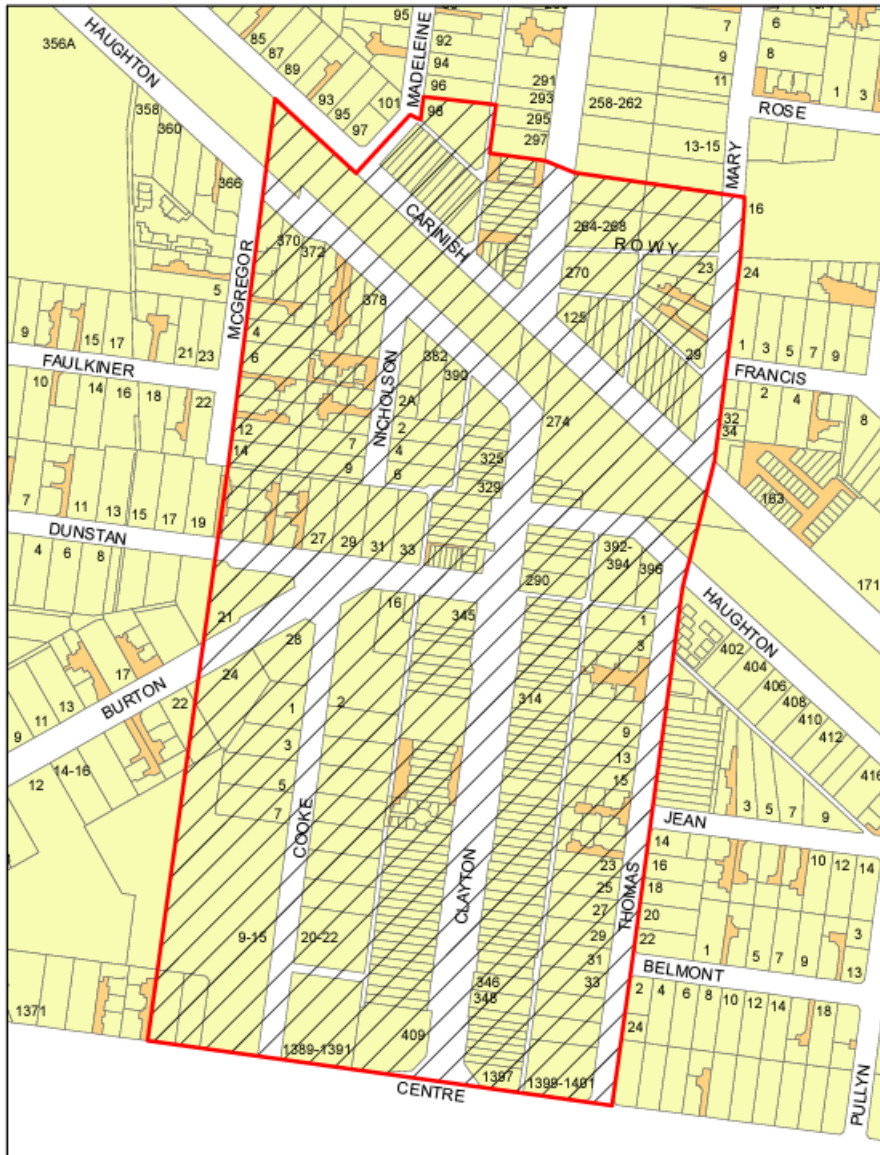
Oakleigh Activity Centre



The hatched area outlined in red is declared a prohibited place for the purpose of Clause 54 of the Community Safety and Amenity Local Law 2024

Declaration of Alcohol-free Area

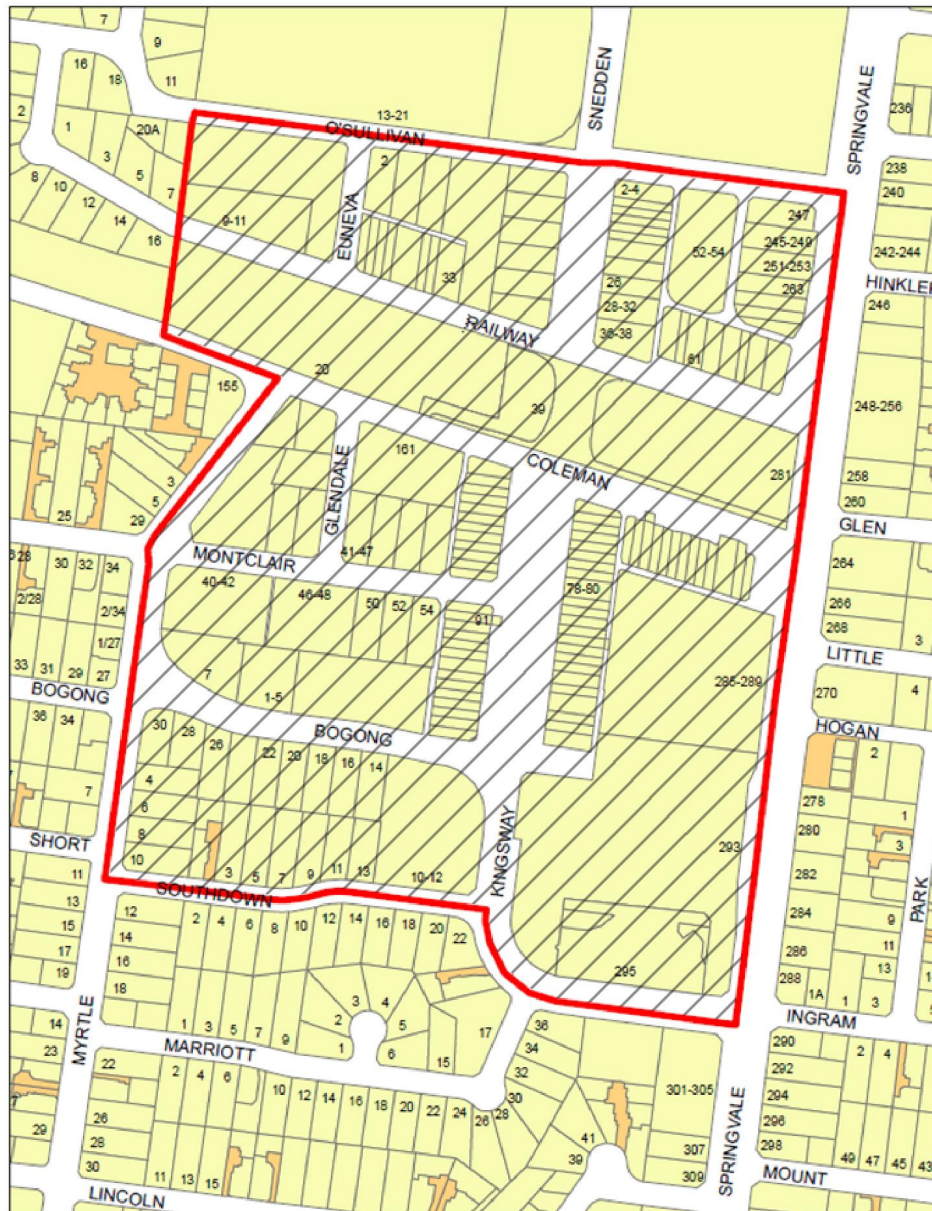
Clayton Activity Centre



The hatched area outlined in red is declared a prohibited place for the purpose of Clause 54 of the Community Safety and Amenity Local Law 2024

Declaration of Alcohol-free Area

Glen Waverley Activity Centre



The hatched area outlined in red is declared a prohibited place for the purpose of Clause 54 of the Community Safety and Amenity Local Law 2024