**Yarra Council Resolutions of Tuesday 8 October 2019**

1. That Council:
   1. note the submissions received in response to the proposed Consumption of Liquor in Public Places Local Law 2019;
   2. notes that approximately half the submissions were supportive of the proposed Local Law with the remainder not supportive;
   3. notes that the existing Local Law will cease to operate on 19 October 2019 (11 days from this meeting) and without a Local Law in place Council will not have the ability to restrict consumption of liquor in public places on New Years Eve, January 26th, at festivals and around sporting events;
   4. notes the lack of evidence of enforcement of the existing Local Law since 2013;
   5. notes the “Geographies of exclusion: street drinking, gentrification and contests over public space” study into the effects of public drinking Local Laws in Yarra, Darebin and Maribyrnong by the Centre for Alcohol Policy Research at La Trobe University which suggests that the geographical exclusion of street drinkers that has occurred as a result of these laws warrants the consideration of a more socially responsible strategy than the current legislative approach.
   6. adopt the Consumption of Liquor in Public Places Local Law at Attachment 1 with a sunset date of 19 October 2021 for the reasons set out at clause 2 of that Local Law as an interim until that date;
   7. pursuant to Part 4, clause 16 of the Consumption of Liquor in Public Places Local Law, declare:
      1. those areas of the municipal district listed at Attachment 3 to be Prescribed Areas for the purposes of that Part 4; and
      2. this declaration to apply from 9.00 am to 8.59 pm.
   8. Notwithstanding part (c) of this resolution, the areas listed at Attachment 3 are not declared as Prescribed Areas after 9am on 31 December, and before 9am on 1 January in each year;
   9. To adopt the Memorandum of Understanding (Protocol) at Attachment 6 in principle until consultation in part (f) has been complete, the officer report in part (h) has been presented to Council, with an amended Local Law and Protocol, if any, endorsed by Council;
   10. requests the Community Partnerships Branch continue ongoing consultation regarding the Local Law and Protocol with the Aboriginal and Torres Strait Islander community and other relevant Aboriginal community service stakeholders;
   11. at the end of the consultation, officers report back to Council presenting the outcomes of the consultation giving consideration to:
       1. Coroner English’s findings in relation to the inquiry into the death of Ms Tanya Day;
       2. any report of the State Government’s Expert Reference Group on the decriminalisation of public drunkenness and the development of an alternative, health-based response;
       3. the “Geographies of exclusion: street drinking, gentrification and contests over public space” study into the effects of public drinking Local Laws in Yarra, Darebin and Maribyrnong by the Centre for Alcohol Policy Research; and
       4. any other available data on the implementation of similar local laws in similar municipalities including Melbourne, Darebin and Boroondara which have consumption of liquor allowed by default in the municipality with prescribed dry zones;
       5. for Council’s further determination on the future of the Local Law and the Protocol;
   12. requests Officers as a part of the ongoing consultation investigate options of conducting regular meetings with the Aboriginal and Torres Strait Islander community, relevant Council Officers and Victoria Police to discuss the operation of the Local Law;
   13. give notice in the Government Gazette and public notice specifying:
       1. the title of the Local Law;
       2. the purpose and general purport of the General Local Law; and
       3. that a copy of the Consumption of Liquor in Public Places Local Law may be inspected at the Council offices; and
   14. thank all the submitters for their contribution and notify them of the decision; and send a copy of the Consumption of Liquor in Public Places Local Law to the Minister for Local Government.

**Related resolution**

1. That in the matter of the Consumption of Liquor in Public Places Local Law, Officers present a report to Council to include comprehensive information on:
2. what the Local Law aims to achieve;
3. information on how the Local Law sits amongst other related laws, including the Crime’s Act 1958 (Vic), the Summary Offences Act 1966 and other related laws;
4. how the Local Law could be replaced with a public health-based response with consideration to:
   * 1. any report of the State Government’s Expert Reference Group on the decriminalisation of public drunkenness;
     2. Coroner English’s findings in relation to the inquiry into the death of Ms Tanya Day;
     3. any other available data on the implementation of similar local laws in similar municipalities;
5. possible alternatives to such a Local Law, to manage occasions such as Football Grand Finals, New Year’s Eve Celebrations or similar events, anti-social and/or aggressive behaviours;
6. the formulation of a Memorandum of Understanding between Victoria Police and Yarra City Council that:
7. entails ongoing consultation regarding the Protocol with the Aboriginal and Torres Strait Islander community and other relevant community service stakeholders;
8. includes culturally sensitive practice and cultural awareness training;
9. includes data keeping regarding interactions with the community over the Local Law; and
10. provides a detailed outline of the consultation process.