ALCOHOL IN OUR DISTRICT – REDUCING THE HARM

DELIBERATIONS

on
FRIDAY 27 JULY 2018

Commencing at 9.00am

To be held in the
COUNCIL CHAMBERS
215 HIGH STREET
RANGIORA

HEARING PANEL
Councillor Neville Atkinson
Councillor Wendy Doody
Councillor John Meyer
CONTENTS

1. Minutes of Hearing of submissions held on Wednesday 11 July 2018

   Recommendation

   THAT the Hearing Panel for “Alcohol in Our District – Reducing the Harm”
   (a) Confirm as a true and correct record the minutes of the Submission
       Hearings held on Wednesday 11 July 2018

2. Copy of all submissions received

   Circulated to Hearing panel members

3. Report of Submission Points and Officer Recommendations

   Circulated to Hearing panel members.
PRESENT:

Hearing Panel: Councillors N Atkinson, W Doody and J Meyer

IN ATTENDANCE:

L Beckingsale (Policy Analyst), N Harrison (Manager Regulation), M Johnston (Environmental Services Manager), S Stevenson (Administration Officer) and A Smith (Committee Advisor)

Committee Advisor A Smith opened the hearing and called for nominations for Chair.

1. APPOINTMENT OF HEARING PANEL CHAIRPERSON

Moved Councillor Meyer Seconded Councillor Doody

THAT Councillor Neville Atkinson be appointed as Chairperson of the Hearing Panel to hear submissions and deliberate on the Local Alcohol Policy 2018 and Alcohol Control Bylaw 2018.

CARRIED

Councillor Atkinson assumed the Chair at this time.

2. APOLOGIES

There were no apologies.

3. CONFLICTS OF INTEREST

No conflicts of interest were recorded.

4. HEARING OF SUBMISSIONS TO THE REVIEW OF LOCAL ALCOHOL POLICY AND ALCOHOL CONTROL BYLAW 2018

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<tr>
<th>NAME/ORGANISATION</th>
<th>COMMENTS</th>
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<tr>
<td>Andrew Riches, Silverstream Shopping Centre Ltd</td>
<td>A Riches is a Solicitor presenting on behalf of the Silverstream Shopping Centre Ltd. A Riches has worked with a number of off licence applications in Christchurch and also the</td>
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application heard for the off-licence at Silverstream in November 2017. This submission refers to clause 4.2.2 of the Local Alcohol Policy and recommends that off-licences be issued for 'stand alone' bottle stores located in land zoned Business 4 in the Waimakariri District Plan and not just in Business 1 and Business 2 zones. It is suggested this was overlooked. There are only four areas designated Business Zone 4 in the district. Two of these four sites have licenced premises – being the south western corner of Williams and Carew Street, Kaiapoi, which is currently the site of the Kaikanui Tavern and bottle store and Mandeville North business zone, which has a Super Value supermarket which was recently granted an off-licence. The only two areas zoned Business 4 not having licenced premises are Lilybrook Shops, Rangiora and Silverstream Shopping Centre. The LAP as it stands is effectively a bar in establishing a licenced premises in either of these areas. The submitter suggests that having a wine store in Silverstream could enhance existing premises like the Indian Restaurant. It was also noted at the recent hearing for the off-licence application for Silverstream Bottle'O, there were no objections from any local residents.

The comments from Police on improvements in instances of public nuisance as a result of restricted opening hours and better controls of on-licensed premises were mentioned. A Riches noted that these significant changes noted by the Police in public disorder relates to on-licenses and no way effected by issuing the off-licences. If clause 4.2.2 of the Policy were extended to Business Zone 4, there would be no negative effects on the harms of alcohol.

Questions
A Riches didn't have any particular suggestion regarding the current hours for off-licences.

Business Zone 4 is the zone where the Kaikainui Tavern is located, which was a pre-existing business when the LAP was introduced.

Mr Riches noted that Pegasus, Ravenswood, and Oxford have all just Business Zones 1 and 2, and no Business Zone 4.

Councillor Atkinson suggested that it could be better for Silverstream Shopping Centre Ltd to address the issue of the Zoning of Business Zone 4. Mr Riches said that other smaller communities, mentioned above, can have applications for off-licences without having to
“jump hurdles” as with an applicant in a Business Zone 4.

Future business zoning, Mr Riches suggests that it would be unlikely that a new town that was developed, would wish to have a Business Zone 4 in place.

Councillor Atkinson suggested that in Sovereign Palms there could be potential for a business development to be established there, which could possibly be Business 4. Mr Riches does not believe this would be the case.

Mr Riches believes that Silverstream has potential to develop like Pegasus, Woodend and Ravenswood, with projected population for Silverstream of 2,500.

Regarding the mention of harm caused by a bottle store, as mentioned in the Medical Officer of Health. Mr Riches does not accept that there is much concern of the MOH, as there was no opposition to the application for the off licence at the Supermarket recently developed at Mandeville.

Regarding having a Health Hub in Silverstream – Mr Riches does not believe there would be any inconsistencies with having a specialist wine store, or a craft beer outlet in Silverstream in close proximity to a Health Hub.

Cr Meyer spoke on the positioning of Silverstream and noted the roading and cycleway improvement planned for travel between Kaiapoi and Silverstream. Cr Meyer noted that there will be improvements to the access roads underneath the motorway. Mr Riches still sees the motorway as a psychological barrier for residents of Silverstream. Cr Atkinson noted that when Silverstream subdivision was developed, developers made the comments that the motorway was no barrier.

Bronwyn Larsen, Canterbury District Health Board

This submitter did not appear.

Nathan Cowie, Alcohol Healthwatch

Nathan Cowie spoke to his submission via telephone link. Acknowledged the success of the existing 2015 Local Alcohol Policy with the earlier closing hours has reducing alcohol related harm in the district. There are opportunities for further reduction in alcohol related harm, noting that the early closing hour has worked well for on-licences and it should work very well for off-licences too. Noted that the late night purchases are more likely to be made by heavy drinkers. The submitter recommends that off-licence hours be reduced to 10am to 9pm and this is being recommended.
to all territorial authorities developing LAPs. Acknowledged the success of the 2015 LAP in the district. The submitter also supports a cap on the number of off-licences, especially in Rangiora. There is already currently enough off-licence premises in Rangiora, with three bottle stores, two supermarkets and two other off-licences. N Cowie acknowledged that the area is experiencing significant growth and any cap that may be implemented could be revisited when the LAP is next reviewed. Noted the crime statistics for Rangiora and the relation of this to excessive alcohol consumption.

Some actions the submitter suggested Council could take to reduce alcohol related harm: to make a submission to the Governance and Expenditure Committee who are reporting on Louisa Walls private members bill to amend the Sale and Supply of Alcohol Act. Submission period has closed by the committee is not due to report until August 21. Also noted an opportunity to submit to the remit to the LGNZ Annual General Meeting next week seeking governments agreement to amend the Act so that LAPs can more accurately reflect local community views and preferences.

Recommend Councils get together and ask government to do more to deal with alcohol related harm.

The submitter recommends that Councils consider developing an Alcohol related harm strategy or action plan, suggested examples from Napier/Hastings and also Maungakiekie in Auckland.

The submitter recommends that more training is provided to DLC members on knowledge of the Sale and Supply of Alcohol Act and in relation to the determinants of alcohol-related harm. Recommends that DLC hearings be held at community venues, near the premises concerned, so that community members can participate and observe decision making.

**Question**

Cr Atkinson asked about the cap for the off-licences in Rangiora. N Cowie commented that with the statistics on higher crime rate, this related to where there was a cluster of alcohol licenced premises. It was noted that this crime is not entirely related to excessive consumption of alcohol.

Sales of alcohol at off-licences between 7am – 9am. It was suggested the reason for not opening off-licences until 10am, is to protect people who drink alcohol heavily.
Cr Doody, noted the contractors in rural areas who work long hours, often into the night, may be the groups affected by earlier closing of off-licences. There are times when these contractors like to have a drink with their meal at the end of long days/night work.

Chris Casserly, Hospitality New Zealand

Chris Casserly and Amy McLellan-Minty were present on behalf of Hospitality New Zealand Canterbury Branch. C Casserly advised that there is currently 40 members of this group in the Waimakariri district.

Copies of the verbal deputation read by C. Casserly were handed out to the Panel Members.

Hospitality NZ recommend to this Council that before making any amendments to the LAP, that it has all the information at hand to do so.

Rules regarding opening hours for Club licences and On-Licences need to be the same, relating to public holidays, being “Friday, Saturday and Public Holidays 8am – 1am the following day”. This would reduce the need for special licences for long weekends, New Years Eve and extra compliance cost and paperwork for business owners. Also noted regarding compliance costs, Clubs in the Waimakariri only pay $391 for a licence versus On-Licence Paying $1,035.00, and noted this is disappointing that clubs have greater trading hours on public holidays at a third of the price. This is not seen as a “level playing field”. (noted for the information of the hearing panel that these fees are set by regulations).

The submitter would like to have greater clarification on what is a child-focused event. Is concerned that a family event that does not focus on children but caters to children could inadvertently be wrongly categorised in the future, such as the A&P Show, Rugby Sevens, Muscle Car Event, Rodeo and Bull Riding. These events are a significant contributor to local tourism which captures local businesses, including the hospitality and accommodation sector. The submitter, however, does not oppose appropriate special conditions on family events. Further clarification will avoid unnecessary cost, time and resources to both licensees and Council and in most cases the avoidance of a DLC Hearing.

There was concern raised at the use of anecdotal evidence when creating policy relating to on-licence premises, but the need for
evidence-based policy which is clear when it comes to club and off-licence premises.

The submitter agrees that there has been a significant improvement in the way licensed premises are conducting their business, but they believe this is a result of Sale and Supply of Alcohol Act 2012 itself and statutory criteria within it, rather than the LAP.

In summary, the three recommendations from the submitter are:

- Strongly recommend better clarification be sought on what constitutes the definition of a Child Focused Event
- Strongly recommend on-licenced premises hours 8am – 1am the next day to include public holidays
- Strongly recommend Council request better information from policy personnel to make an informed decision, instead of relying on anecdotal views.

In closing the C Casserly notes that due to the lack of any substantial evidence directly relating to the earlier closure of 1am and the lack of detail that there is a direct correlation between 1am closing and the reduction in harm caused by alcohol, they strongly recommend this Council considers a 3 or 4am closing time for a late-night entertainment precinct. It is envisaged this type of precinct to be in a certain zoning and the primary focus of these venues isn’t necessarily alcohol but entertainment. Having such an entertainment precinct would stop the migration into neighbouring areas like Christchurch and Hurunui. Acknowledged that this isn’t part of the current policy but as it is being reviewed for what is best for the community, the submitter suggests the younger generation are an integral part of the community and part of the economic dynamic of the district and shouldn’t be ignored.

Questions

Cr Doody asked about the “Drink to Get Drunk” culture. Ms McLellan-Minty noted there has been a lot of onus put on licenced premises to identify acceptable behaviour. Some local people see the licenced premises as an extension of their own lounges.

Hospitality New Zealand would be happy to work with the Council to develop education for the community on the drinking culture. Mr Casserly believes that the “Drink to Get Drunk” culture is on the way out, and the younger generation are much more aware of other significant issues affecting their lives.
Cr Meyer asked is the improved behaviour as a result of safer and more regulated running of licenced premises? Mr Casserly noted the comment of Mr Humphreys, MOH, stating that licenced premises are the safest places to consume alcohol, because they are well regulated.

Cr Atkinson noted that in this district, there has recently been eight CPO failures in the past 12 months, but prior to that there had been none. Miss McLellan-Minter noted that failure of CPOs is put down to human error. Failing a CPO by a staff member is taken very seriously, with issuing a warning or in some cases, dismissal. Cr Atkinson said it is actually the owner of the business who is responsible for failures to CPOs. Mr Casserly said the effects go right from the owner, the Duty Manager, and to the staff member involved. Mr Casserly commented that all staff involved in licenced premises should be required to attend training before they start employment.

Cathy Bruce, Health Promotion Agency

Cathy Bruce, is the Principal Advisor Local Government at the Health Promotion Agency (HPA) and provides alcohol harm reduction advice to TAs nationally. Apology was tendered from Stuart Dodd, South Region Manager. C Bruce is based in Christchurch and is familiar with this community. HPA is a Crown Entity, formed in 2012, gives advice to government and other agencies and makes recommendations on the sale, supply, consumption, misuse and harm caused by alcohol. The work that HPA undertakes aims to prevent and reduce this harm and inspire New Zealanders to make better decisions about drinking alcohol and about their health and wellbeing. The agency is one that also provides feedback on all LAPs across the country.

Health Promotion Agency congratulated WDC on developing a LAP, noting the benefits of public input in how alcohol is sold in this region and notes that people are concerned with the effects of excessive consumption of alcohol. The very clear objectives of the Sale and Supply of Alcohol Act 2012 assists with this. HPA encourages the Hearing Panel members to keep these objectives in mind when making decisions.

Pleased to see the Council engaging with the Police and Community and Public Health and the licensing inspectors as part of the LAP development process. HPA encourages the Council not to relax any measures within the policy as alcohol related crime is still an issue within this community.
Regarding trading hours, limiting trading hours for the sale of alcohol is a key policy lever for reducing alcohol-related harm. There is written evidence that increased hours for licences has a direct impact on the community and increase in anti-social behaviour. HPA is supportive of the trading hours proposed and noted these are clearly supported by the regulatory agencies. It is suggested separating out the opening hours and the closing hours for licences in the Policy document. This would provide clarity around appeals on hours and provides the ability to ARLA to rule on part of the hours policy rather than having to deem all the hours unreasonable. HPA supports any reductions in opening hours.

HPA supports limiting the location of bottle stores to within Business Zones.

**Special Licences**

Congratulate WDC on leadership around having licences at child friendly events and supports measures to decrease exposure of children and young people to alcohol-related harm. Studies show that parental drinking can influence how their children drink especially in terms of starting drinking earlier and drinking more later.

HPA is supportive of the Council’s LAP review and stressed the need to ensure that the policy reflects the views of the community and takes the opportunity to minimise the harm caused by alcohol in this district. Overall HPA is supportive of the content of the LAP and suggestions are around strengthening the content to ensure that it continues to serve this community well.

**Question**

Cr Atkinson referred to the submission suggesting a link between off-licence premises and alcohol-related harm. The findings stated in the submission are that 60% of a alcohol is sold through off-licences and 60% of alcohol-related offences are linked to home and public consumption which in term is linked to off-licence purchase. Cr Atkinson suggested should this mean reducing off-licence hours. Ms Bruce said it is difficult to gather evidence-based information in relation to results of sales from off-licences. It is much easier to scrutinise premises with on-licences as these are required to meet many criteria. Supports reducing the hours of off-licences. Noted that the hours in the Act are National maximum hours of opening allowed. Questioned is it necessary to buy alcohol at 7am in the morning? Cr Atkinson
noted that there are people who do their weekly shopping at that time of day. It was noted that supermarkets do have information on shoppers purchasing, and do know how much alcohol is purchased. Ms Bruce said it is about reaching a balance.

**Bob Blair, Monteiths Rangiora**

B Blair spoke to his submission, noting the wording in the LAP for On-Licence hours of Operation and Club Licence hours of operation being different, with not including public holidays for licenced premises. He suggests that the wording “and Public Holidays” be added to section 4.1.1 of the Policy and sees this as an oversight of the original LAP.

**New Years Eve**

There is a disadvantage to local businesses with the closing time of 11pm for all on-licences from Sunday to Thursday, when New Years Eve falls on any of these nights and a Special Licence has to be applied for to stay open later. Mr Blair believes there could be a correction included in the LAP to remove the necessity for this. The suggested wording in the Policy in Sections 4.1.1 and 4.3.1 be amended to read “Sunday to Thursday 8am – 11pm, except on New Years Eve where it will be 8.00am – 1.00am the following day”

B Blair said the opening hours for serving alcohol at on-licences should be the same as at an off-licence (currently which is 7am), instead of being 8am. He suggests it doesn't make sense to serve alcohol to be consumed in an unupervised environment from 7am when restrictions are put on on-licence premises selling alcohol to be consumed in a supervised environment.

**Natalie Leary**

Natalie Leary objects to the inclusion of Murphy Park in the Alcohol Control Bylaw area, during the rugby and rugby league season. She suggests that the reasons for this are being promoted by the league Club, which has a licence. She noted that the Club is often not open. Currently supporters of games at the Murphy Park drink on the side-line of senior games only and said it is discouraged for any supporters of junior games. Ms Leary said there is very rarely any trouble that is alcohol related on the sidelines of the games at Murphy Park. She has seen fights on the sideline which often involves players after the games but these incidents are not related to alcohol consumption.

Cr Atkinson commented on the submission from the Northern Bulldogs Leagues Club during this consultation process, and had
supported the alcohol ban to include Murphy Park. This is a result of a large fight that had happened at the grounds when a league game was being played in a recent season.

Ms Leary said there has previously been an area in the park designated for drinking alcohol while games are being played, but this specific area is no longer in place. If the park becomes alcohol free, Ms Leary said the consumption of alcohol would move to other areas (suggesting up on the stopbank or in the carpark).

In conclusion Ms Leary stated that she was in support of Alcohol Control Bylaw being place for Williams Street, Kaiapoi.

There being no further business, the meeting adjourned at 10.55am, until Deliberations scheduled to commence at 9.00am on Friday 27 July 2018.

CONFIRMED

________________________________________
Chairman

________________________________________
Date