



PLANNING AND REGULATORY MEETING

Agenda 22 September 2021

NOTICE OF MEETING

Due to COVID-19 restrictions this meeting will be held via video conference. All members participating via video conference will count for the purpose of the meeting quorum in accordance with clause 25B of Schedule 7 to the Local Government Act 2002. This meeting will be live-streamed and will be available to view on our [YouTube channel](#).

The meeting will be held under the above provisions and will commence at 9.30am with the express purpose of hearing and deliberating on submissions to the proposed Alcohol Control Bylaw 2021.

MEMBERSHIP OF THE COMMITTEE

Councillor Rebecca Fox (Hearings Chair), Mayor Alex Beijen, Councillors Ross Vickery, Leigh Hay, Pam Colenso, Garrick Emms, Alistair Plimmer and Brenda West.

- 1. Apologies**
- 2. Conflicts of Interest**
- 3. Speaking Schedule**

Sub. No.	Speaker	Time
21	Aidan Ellims	9:35am
13	Alistair and Jenny Boyne	9:42am
18	Poppies Martinborough	9:49am

4. Deliberations

- 4.1 Proposed Alcohol Control Bylaw Report

Pages 1-66

Recommended Resolution (required from 3:30pm):

That the Planning and Regulatory meeting on **22 September 2021** continue beyond the six-hour time limit on meetings prescribed by South Wairarapa District Council's Standing Orders.

PLANNING AND REGULATORY COMMITTEE

22 SEPTEMBER 2021

AGENDA ITEM 4.1

PROPOSED ALCOHOL CONTROL BYLAW REPORT

Purpose of Report

To advise the Committee of the submissions received on the Statement of Proposal for the Proposed Alcohol Control Bylaw and subsequent advice and recommendations from officers for the proposed bylaw.

Recommendations

Officers recommend that the Committee:

1. *Receives the Proposed Alcohol Control Bylaw Report.*
2. *Considers submissions on the Statement of Proposal for the Proposed Alcohol Control Bylaw.*
3. *Recommends to Council that the proposed Alcohol Control Bylaw be adopted subject to any amendments recommended by the Committee.*
4. *Agrees that the purpose of the proposed bylaw be amended as stated in paragraph 3.1 of this report.*
5. *Agrees that the proposed bylaw make provision for an alcohol ban to accompany the Toast Martinborough event.*
6. *Considers and decides whether to retain the alcohol ban to accompany Toast Martinborough within Schedule 1 of the proposed bylaw (option 1) or to resolve a temporary alcohol ban for each event in accordance with clause 5 of the proposed bylaw (option 2).*
7. *Agrees that no permanent alcohol bans for specific areas and facilities be included in the bylaw, as proposed.*
8. *Agrees that the proposed mechanisms be included in the bylaw to enable Council to make alcohol bans by resolution where criteria is met, including temporary bans associated with events or permanent bans associated with specific areas or facilities.*
9. *Agrees that the consultation requirements for making alcohol bans under clauses 5 and 6 of the proposed bylaw be adopted.*
10. *Considers officers' recommendations of measures to address issues of cyclists' safety and care for tourists.*

11. *Considers and decides if the bylaw should include a provision to enable Council to give permission to consume, bring into or possess alcohol in an alcohol ban area as stated in paragraph 3.5 of this report.*

1. Background

Council adopted the proposed Alcohol Control Bylaw 2021 Statement of Proposal (SOP) for public consultation on 28 July 2021 in accordance with the Special Consultative Procedure, as provided in sections 83, 86 and 156 of the Local Government Act 2002 (LGA).

The SOP was released for consultation on 2 September 2021. A community meeting was held on 16 September to provide an opportunity for the public to find out more about the proposal before making a submission.

The submission deadline was extended from 2 September to 5 September 2021. This was to provide additional time to respond given that COVID-19 restrictions had limited the ways Council could advertise the consultation and how people were able to make a submission.

Feedback was sought on the following specific areas:

- the problem as it was defined in the SOP
- the proposed bylaw controls including a proposed alcohol ban for Toast Martinborough and the ability for Council to make alcohol bans by resolution
- the exclusion of any permanent alcohol ban areas, including the Featherston CBD, and
- other actions that Council could take to address public safety and reduce alcohol-related crime and disorder in the community.

2. Submissions and Deliberations Process

2.1 Submissions received

A total of 23 submissions were received as attached in Appendix 1. Two submissions were received by email and the remaining 21 were made using an online form.

Five submissions received were on behalf of organisations, including Featherston Rugby Club, Poppies Martinborough, Martinborough Grocery Ltd, Moy Hall Wines Ltd and Regional Public Health.

2.2 Hearings and deliberations

Submitters to the proposed Alcohol Control Bylaw are provided the opportunity to present their views in person to the Committee at the oral hearings on 22 September. The Committee will then consider all submissions received together with advice and recommendations provided by officers and make recommendations on the proposed bylaw to Council. Council will decide whether to accept the Committee's

recommendations and adopt the proposed bylaw on 3 November 2021, and if adopted, the bylaw would come into effect on 4 November 2021.

3. Submissions Analysis and Recommendations

3.1 Problem Definition

The SOP considered whether the bylaw was the most appropriate way to address the perceived problem which is defined as “crime or disorder caused or made worse by the consumption of alcohol in public places.”

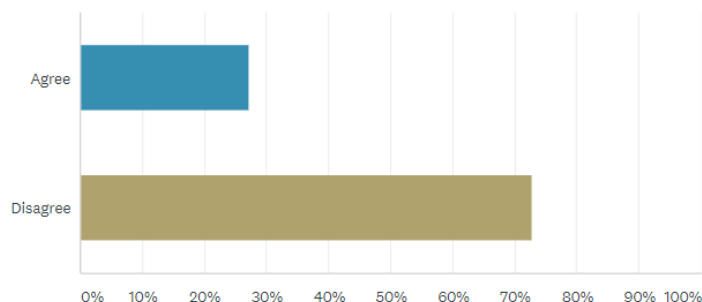
The SOP set out that given the low level of crime and disorder in the district, we had considered whether we need a bylaw at all. However, while there are other options to address the problem, we considered they are unlikely to address the problem on their own. Without an Alcohol Control Bylaw there would be no ability to provide for temporary alcohol bans for events, or to deal with problem areas in the future.

Bylaws are a well-recognised mechanism and provide a preventative tool to stop problems happening which is consistent with the ‘prevention first’ strategy of the Police. This is preferable to waiting for problems to occur, particularly at and after events where large groups may gather

Submitters were asked if they agreed with the problem as we have stated it. Of those that responded, 27% (6 submitters) agreed with the problem as stated and 73% (16 submitters) did not.

Agreement with the problem as stated in Paragraph 3 of the Statement of Proposal which is defined as "crime or disorder caused or made worse by the consumption of alcohol in public places"

Answered: 22 Skipped: 1



ANSWER CHOICES	RESPONSES
Agree	27% 6
Disagree	73% 16
TOTAL	22

Submitters were asked to provide feedback on whether there is more or less we should consider.

Summary of comments	Officer Advice
Seven submitters considered that there was no alcohol-related problem in the district with four submitters referring to the SOP which highlights that our district does not experience significant incidents of alcohol-related crime and disorder and there are no particular problem areas that we are aware of.	These views support the proposal not to include permanent alcohol bans for specific areas or facilities. They do not address the issues that without the framework of a bylaw, permanent bans cannot be put in place in the future if necessary or temporary bans be put in place for events.
Two submitters considered that any crime and disorder problems were not alcohol-related or able to be addressed by an alcohol ban.	Noted. The SOP addressed issues that were not alcohol-related or not able to be addressed by a ban.
One submitter considered that there may only be a problem with events.	Noted. This is reflected in the proposed bylaw.
Two submitters considered that Police would be able to address any issue with one noting that Police do not prosecute infringements of alcohol bans and the other advocating for a local Police officer.	Noted. The Police support the proposed bylaw and alcohol bans as providing preventative and additional tools to support their existing powers.
One submitter considered that New Zealand was already over-policed in terms of alcohol laws and that there was a risk of ruining Martinborough and the Toast Martinborough event.	Noted.
Two submitters noted that the proposal provided a solution to any future problems.	Noted.
One submitter noted that further consideration be given to managing behaviour after events, for example at the Featherston railway station after Toast Martinborough. The submitter considered this should be the responsibility of event organisers and Council put bans on alcohol in place for future events if not managed adequately.	Officers will liaise with event organisers regarding additional measures for future events.
One submitter commented in support of the proposal.	Noted.
Two submitters considered that the problem was not sufficiently or clearly defined.	Noted.

3.2 Further analysis and recommendation

Officers recommend that the proposed Alcohol Control Bylaw be adopted subject to any amendments decided by the Committee to reflect the further analysis and recommendations in this report.

3.2.1 Purpose of the bylaw

Officers consider merit in expanding the purpose of the bylaw to better explain the problem definition, and to clarify that the bylaw and alcohol bans are the minimum necessary control to achieve the purpose, as required by the LGA. The recommended Purpose, below, also clarifies that the bylaw controls the bringing of alcohol into public places which was omitted in error from the Purpose of the draft proposed bylaw in the SOP.

2. Purpose

2.1 The purpose of this Bylaw is to control the consumption, bringing into, or possession of alcohol in public places to reduce and mitigate crime and disorder that is caused or made worse by the presence or consumption of alcohol in those places. The controls in this Bylaw apply: a) to any public place subject to an alcohol ban, as listed in

Schedule 1 to this Bylaw; or b) where a temporary ban for specified events or specified periods is made by Council resolution in accordance with clause 5. Alcohol bans, when applied in accordance with the relevant legislation and supported by the available evidence, mitigate the potential for noise, litter, vandalism, violence, and other forms of crime or disorder which would otherwise occur in the absence of a permanent or temporary ban.

2.2 This Bylaw limits individual rights and the freedom to consume, bring into, or possess alcohol in public places only to the extent that can be reasonably justified. Any such limits imposed under this Bylaw are designed to be appropriate and proportionate to the level of crime and disorder which would otherwise occur in those places, as determined by evidence and proper assessment. Other strategies are also utilised to address alcohol-related crime and disorder, and include existing Police powers to protect public safety, Council powers to regulate licensed premises, and public education.

3.2.2. Recommendations

- That the proposed Alcohol Control Bylaw be adopted subject to any amendments recommended by the Committee.
- That the Purpose of the proposed bylaw be amended as stated in paragraph 3.1 of this report.

3.3 Proposed Bylaw Controls

Feedback was sought on the proposed bylaw controls including an alcohol ban to accompany Toast Martinborough, inclusion of permanent alcohol ban areas, and provisions to enable Council to make alcohol bans by resolution.

3.3.1. Alcohol ban to accompany Toast Martinborough

The SOP proposed an alcohol ban to accompany Toast Martinborough be included in the bylaw itself given it is a well-established and recurring major event. This would provide more certainty to the community and stakeholders and is more efficient because it does not rely on a temporary ban being sought each year. It was proposed the ban would apply for the same time and location as previous bans.

Eight of the 23 submitters agreed with the proposed control to include an alcohol ban for Toast Martinborough in the bylaw. Fifteen submitters did not agree with this proposal.

Summary of comments	Officer Advice
<p>Of those that disagreed five provided comments that no bylaw or ban was necessary as there was no problem to address.</p>	<p>Bans have been in place for all of the Toast Martinborough events and this has likely reduced the level of crime and disorder.</p> <p>Legislation does not require evidence of a high level of crime or disorder for a ban for large-scale events. This effectively operates as a presumption of risk that crime or disorder may be caused or made worse in those environments.</p> <p>The Police and event organisers support a ban for the event.</p>

Summary of comments	Officer Advice
Three submitters considered that any problem could be addressed by the Police.	The Police support a ban for the event.
One submitter noted that as bars were not open after the Toast event, a ban was not necessary.	Bars close voluntarily to mitigate the risk of crime or disorder and to support the event. There is no requirement for them to do so. The alcohol ban controls consumption, possession and bringing of alcohol into public places and does not apply to licensed premises.
Three submitters did not agree with the proposal because current measures were in place for the Toast event.	Those measures cannot be continued without the proposed bylaw.
Two submitters considered that including a ban in the bylaw may not be necessary as the longevity of the Toast event in its current format may be in question.	There are two options for including a ban for the Toast event (see further analysis below).
One submitter also considered that a ban was overly burdensome on the organisers and another submitter considered that it should be the responsibility of the organisers to manage the consumption of alcohol.	The event organisers support a ban for the event. Council officers work with the organisers, participating vineyards and Police to ensure that licensing requirements are met. The alcohol ban accompanying Toast provides further support to the organisers and Police to manage the risk of crime and disorder that may occur.
One submitter made a comment supporting bans for large-scale events like Toast.	Noted.

Further analysis and recommendation

Officers recommend that the bylaw make provision for an alcohol ban to accompany the Toast Martinborough event.

Council has the flexibility of considering two options for adopting an alcohol ban for Toast Martinborough. The first is by including the ban within Schedule 1 of the bylaw, as proposed in the SOP, and the second is by resolving a temporary alcohol ban for each event in accordance with clause 5 of the proposed bylaw.

Option 1

The SOP notes that including the ban for the Toast Martinborough event within the bylaw provides more certainty to the community and stakeholders and is more efficient because it does not rely on a temporary ban being sought each year. In addition, there is no requirement to provide evidence of a high level of crime and disorder and to ensure proportionality and appropriateness for bans for large-scale events (section 147A(1)(b)). This exception effectively operates as a presumption of risk that crime or disorder may be caused or made worse in those environments. There may be some difficulty in obtaining evidence of a high level of crime or disorder if the event continually operates with an alcohol ban in place to reduce such problems, as with Toast Martinborough. However, despite this exception, officers consider there is sufficient experience with the nature and operation of Toast Martinborough to justify a permanent ban within the bylaw itself.

The disadvantage of including the ban within the bylaw itself is that a change to the parameters of the ban may require an amendment to the bylaw following

consultation. The parameters of the ban are defined in Schedule 1 of the bylaw with respect to the time and geographical extent of the ban. The day is defined as the day of the event. This can change from one year to the next but is sufficiently certain in light of the prior marketing of the day of the event and the requirement in clause 5.2 of the proposed bylaw to give public notification of the event.

If Council, in conjunction with the event organisers, want to make a significant change to the fixed parameters over the life of the bylaw (five years) this would require an amendment to the ban. This could be effected by resolution in accordance with clause 6 of the proposed bylaw. Depending on the significance of the change, this may require either consultation following the special consultative procedure as set out in section 83 of the LGA or other consultation that gives effect to Council's Significance and Engagement Policy, in accordance with section 156 of the LGA. A significant change may require a number of months' notice before it could be put into effect.

Option 2

The exception in the LGA does not apply to bans made by resolution made under section 147B (clause 5 in proposed bylaw). Council would therefore need to carry out each year an assessment of the evidence of a high level of crime and disorder and the appropriateness, proportionality and limitation on people's rights and freedoms of the ban. This provision guards against the risk of resolving a ban that is not the minimum necessary to give effect to the purpose of the bylaw but, as indicated above, there may be some difficulty in obtaining evidence of a problem. The benefits identified in the SOP of including the ban in the bylaw will also not be realised.

The benefit of resolving the ban each year the event takes place is that the parameters of the ban can be amended if necessary to reflect the need for the event that year. The assessment would consider the impact of any changes.

Council has the flexibility to consider either of these options as both options place equal but minimal restrictions on individual rights and freedoms. The matter is largely one of practicality. Officers have contacted the Toast Martinborough event organisers who do not foresee any changes to the event, and therefore the parameters of the ban, over the life of the bylaw.

Recommendations

- That the proposed bylaw make provision for an alcohol ban to accompany the Toast Martinborough event.
- The Committee consider and decide whether to retain the alcohol ban to accompany Toast Martinborough within Schedule 1 of the proposed bylaw (option 1) or to resolve a temporary alcohol ban for each event in accordance with clause 5 of the proposed bylaw (option 2).

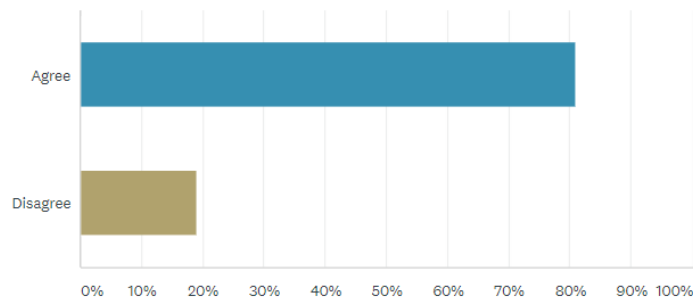
3.3.2. Does not include alcohol bans for specific areas and facilities

The SOP did not propose including permanent alcohol bans in the bylaw for specific areas and facilities, including the Featherston CBD, as we do not think there is sufficient evidence of a high level of crime or disorder caused or made worse by alcohol consumption in the district.

Submitters were asked if they agreed not to include permanent alcohol ban areas in the bylaw. Of those that responded, 81% (17 submitters) agreed and four disagreed.

There is not sufficient evidence of a high level of crime or disorder caused or made worse by alcohol consumption to support permanent alcohol ban areas, including the Featherston CBD alcohol ban in the previous bylaw

Answered: 21 Skipped: 2



ANSWER CHOICES	RESPONSES
Agree	81% 17
Disagree	19% 4
Total Respondents: 21	

Summary of comments	Officer Advice
One submitter supported a permanent night time ban in the Martinborough Square and park and a permanent ban in children’s parks	There is insufficient evidence to support bans in these areas. Council will continue to monitor these areas for the future.
One submitter supported an alcohol ban in Featherston CBD as there were concerns that young people may consume alcohol at the skate park.	There is insufficient evidence to support a ban in the Featherston CBD (see further assessment below). Council will continue to monitor these areas for the future.
One submitter did not agree with any of the Council’s proposals.	Noted.

Further analysis and recommendation

Featherston CBD

The SOP did not propose to include an alcohol ban in Featherston CBD because there was insufficient evidence of a high level of crime or disorder caused or made worse by alcohol consumption in the area in accordance with section 147A(1)(b)(i) of the LGA.

This is the assessment to be adopted for new bylaws as the proposed bylaw is a new bylaw.

However, as there was an alcohol ban in the Featherston CBD in Council’s previous bylaw *South Wairarapa Liquor Control Bylaw 2011* a case could be made that the assessment for replacement bylaws provided in section 147A(3) should be adopted. This requires the Council, before making a ban, to be satisfied that a high level of crime or disorder is likely to arise in the area to which the bylaw is intended to apply if the bylaw is not made. This effectively takes into account the impact an alcohol ban may have had on the level of crime and disorder in the area and requires Council to consider whether the risk that prompted the ban is likely to arise again in its absence.

Officers identified during pre-consultation engagement that the Featherston CBD liquor ban area was a response to an historic problem associated with particular community members at that time. Stakeholders agreed that these problems have not been evident for some time. This is most likely due to changes in the general community although there may be some potential benefit due to the preventative effect of the previous alcohol ban.

Officers do not therefore consider under either assessment that there is sufficient evidence or risk of crime or disorder to include a ban for the Featherston CBD in the proposed bylaw.

Recommendation

- That no permanent alcohol bans for specific areas and facilities be included in the bylaw, as proposed.

3.4 Enables Council to make alcohol bans by resolution

The SOP proposed including a mechanism in the bylaw to enable Council to make alcohol bans by resolution where criteria is met. This could include temporary bans associated with other events or permanent bans associated with specific areas or facilities.

Eight of the 23 submitters agreed with the proposed control to enable Council to make alcohol bans by resolution. Fifteen submitters did not agree with the proposal.

Summary of comments	Officer Advice
Eight submitters commented that no bylaw or ban was necessary as there was no problem to address.	These views support the proposal not to include permanent alcohol bans for specific areas or facilities. They do not address the issue that without the framework of a bylaw or the mechanism to include bans, they could not be put in place in the future.
Two submitters considered that any problem could be addressed by the Police.	Noted. The Police support the bylaw and alcohol bans as providing preventative and additional tools to support their existing powers.
One submitter did not consider that the problem had been defined well enough to respond to the question.	Noted.

<p>Two submitters had concerns that resolutions would be made by Council officers and without appropriate consultation.</p>	<p>Clauses 5 and 6 enable Council to make temporary bans by resolution and to amend bans by resolution. Officers will report to the Planning and Regulatory Committee and Council on any proposed ban but these must necessarily be made by Council itself.</p> <p>See further analysis regarding consultation requirements below.</p>
<p>One submitter who agreed with the proposal wanted more information on the resolution process and the associated threshold of a “high level” of crime and disorder.</p>	<p>Noted.</p> <p>There is no statutory definition of what constitutes a “high level” of crime or disorder. Council would need to have evidence of a significant and ongoing alcohol-related problem in a particular area, not just a small number or intermittent incidents.</p>

Further analysis and recommendations

Officers recommend that mechanisms be included in the bylaw to enable Council to make alcohol bans by resolution where criteria is met, including temporary bans associated with other events or permanent bans associated with specific areas or facilities.

Consultation requirements for alcohol bans

Clause 5 of the proposed bylaw requires Council to carry out an assessment based on prescribed criteria in the LGA before making a temporary alcohol ban by resolution. Council must also comply with the general decision-making requirements in sections 77—82 of the LGA, including applying principles of consultation in accordance with Council’s Significance and Engagement Policy. These are the same requirements that applied to temporary bans made by resolution under Council’s previous bylaw.

Clause 6 of the proposed bylaw also requires Council to carry out the above assessment and comply with the general decision-making requirements in sections 77—82 of the LGA prior to adding, amending or revoking an alcohol ban in Schedule 1 by resolution. In addition, clause 6 requires that Council use the special consultative procedure set out in sections 83 and 156 of the LGA prior to making a resolution. This is because an amendment to Schedule 1 is effectively an amendment to the bylaw and the provisions of section 83 and 156 apply to amendments to bylaws. As indicated in paragraph 3.2.1 above, this may require either consultation following the special consultative procedure as set out in section 83 or other consultation that gives effect to Council’s Significance and Engagement Policy, in accordance with section 156 of the LGA, depending on the significance of the change.

Note also that both clauses require bans to be publicly notified at least 14 days in advance of the specified event or period or before coming into effect.

Officers consider that these requirements ensure appropriate levels of consultation with the community proportionate to the application of the bans.

Recommendations

- That the proposed mechanisms be included in the bylaw to enable Council to make alcohol bans by resolution where criteria is met, including temporary bans associated with other events or permanent bans associated with specific areas or facilities.
- That the consultation requirements for making alcohol bans under clauses 5 and 6 of the proposed bylaw be adopted.

3.5 Other actions to address public safety and reduce alcohol-related crime and disorder in the community

There are other strategies that could be employed to address public safety and reduce alcohol-related crime and disorder in the community including current Police powers to protect public safety and Council powers to regulate licenced premises under the Sale and Supply of Alcohol Act 2012. Council could also develop controls in our policies, plans and hire agreements, use CCTV or advocate for more local Police.

Community feedback was sought on the other actions Council could take.

Summary of comments	Officer Advice
Seven submitters advocated for a greater local Police presence or community policing to address alcohol-related and other harms.	Noted. Mayor Beijen is currently lobbying NZ Police on this matter.
One submitter suggested that the number of licensed premises should be limited and that Council should set up the ability for the public to advise the Council about problems with alcohol in public places and concerns over breaches of licensing requirements. Other suggestions from this submitter were outside of the Council's jurisdiction, such as setting minimum pricing.	Officers will consider limits on the number of licensed premises as part of the review of the Local Alcohol Policy. The public are currently able to contact Council about any concerns with breaches of licensing requirements. Officers will consider how best to publicise this.
Two submitters supported Council working with licensed premises and other key stakeholders to address issues including cyclist's safety and care for tourists. Another submitter specifically advocated for cycle paths and there was a suggestion for additional lighting in the Martinborough Square.	Officers have raised the potential for working with stakeholders and the community on promoting responsible tourism in the district. See further analysis below. Other comments have been passed on to roading and amenities officers.
Three submitters commented that nothing further needed to be done.	Noted.
Three submitters commented that there was no evidence or need for the bylaw, another felt that the bylaw was over-regulation.	Noted.
One submitter considered the issue was a Police and not a Council matter.	Noted.
Other comments related to other aspects of Council business.	These have been passed on to relevant officers.

Further analysis and recommendations

Regarding working with stakeholders to address issues of cyclists' safety and care for tourists, officers recommended the following in the report to Council of 28 July 2021:

Council and the Martinborough Community Board should work with the Martinborough community, business and Destination Wairarapa to better understand the nature and size of any alcohol related problems and to promote responsible wine and cycling tourism. This work would build on the ongoing support to hospitality businesses from Council’s Alcohol Licensing Inspectors and specific discussions held in January 2021.

Council should also consider measures that can be taken to improve road safety along the vineyard route, noting that a district-wide speed review is due to be carried out later in 2021. Broader issues associated with the cost burden of tourism will also be considered as part of the rating review due to be carried out in the 2021/22 financial year. Increased enforcement action and additional regulation can be employed if these measures are not successful. This is consistent with the regulatory enforcement pyramid and responsive regulation approach.¹

Recommendation

- That the Committee consider officer’s recommendation of measures to address issues of cyclists’ safety and care for tourists.

3.6 Other feedback

The community were given the opportunity to provide other feedback on the proposed alcohol bylaw.

Summary of comments	Officer Advice
One submitter asked whether Council would be able to put in place a ban that has no end date and whether there would be an appeal process to a proposed ban.	Bans last for the lifetime of the bylaw (5 years until the first review and then 10 years for subsequent reviews) or until earlier amended or revoked under clause 6 of the proposed bylaw. There is no appeals process within the bylaw but bans are subject to decision-making requirements and consultation as discussed under paragraph 3.2.1. above.
One submitter commented on the impact of Martinborough’s growth on its hospitality and tourism industry and alcohol-related issues. The submitter noted that wine and tourism creates part of Martinborough’s culture and noted that the bylaw had the potential to affect the way things operate as they do now. They agreed that social public drinking that did not result in harm should not be restricted.	Noted. Officers are considering the impact of growth as part of work on the Council’s spatial plan. The bylaw controls can only limit individual rights and the freedom to consume, bring into, or possess alcohol in public places to the extent that can be reasonably justified. Any such limits imposed under the bylaw are designed to be appropriate and proportionate to the level of crime and disorder which would otherwise occur in those places, as determined by evidence and proper assessment.
One submitter supported working with the community and stakeholders to address solutions as had happened in this process.	Noted and agreed.

¹ See, for example, information at <http://johnbraithwaite.com/responsive-regulation>.

Summary of comments	Officer Advice
One submitter wanted to encourage responsible drinking.	Officers will continue to work with licensees to encourage responsible drinking and ensure licensing requirements are met.
Regional Public Health provided a number of additional comments including about the need to communicate alcohol bans to visitors; support for alcohol bans; other strategies for alcohol control; the value of consultation with the community; and assistance with evaluating an implemented policy.	Officers will consider how best to give effect to the comments and will continue to consult and work with RPH wherever possible.
One submitter strongly opposed the bylaw for a number of reasons, summarised elsewhere in this analysis, and in addition noting the cost of regulation to ratepayers. That submitter also disagreed with the assessment and information provided by Council. One submitter considered that the bylaw was another form of bullying by the Council and another felt the bylaw was a diversion from real issues.	Noted.
Two submitters provided comments that related to other Council business.	Noted.
One submitter felt that the information and the need for the bylaw wasn't sufficiently clear.	Noted.
One submitter asked that public meetings be held in the evening.	Noted.

3.7 Council permission

The SOP did not propose to include a provision to enable Council to give permission to allow people to consume, bring into or possess alcohol in an alcohol ban area. This is because the provision may be applied arbitrarily, which risks inequitable treatment, and special licences can provide for the ability to sell or supply in an alcohol ban area. An exemption potentially undermines the policy intent of the alcohol ban in the first place, particularly considering the evidence of a high level of crime or disorder needed for the ban to be put in place.

However, there may be some occasions where Council would consider giving such permission, for example where an event was held in an alcohol ban area and "BYO" alcohol was permitted. A Special Licence would not apply in these circumstances but Council could limit the risk of alcohol-related harm through strict conditions with the event organiser.

A similar exemption was included in clause 4.1 of Council's previous bylaw.

If the Committee agreed that such a provision should be included in the bylaw, the following is recommended:

Council permission

Any person may apply to the Council for prior written permission for any activity that would be in breach of any prohibition under this Bylaw. A special licence may be issued under the Sale and Supply of Alcohol Act 2012 in respect of any

location or event and may include waivers and dispensations (subject to and in accordance with the terms of that special licence).

Recommendation

- That the Committee consider and decide if the bylaw should include a provision to enable Council to give permission to consume, bring into or possess alcohol in an alcohol ban area as stated in paragraph 3.5 of this report.

4. Consultation and Legislative Requirements

The consultation and legislative requirements that apply to the adoption of the proposed Alcohol Control Bylaw are included in this report.

5. Financial Implications

The financial implications of adopting the bylaw include advertising for notification of the bylaw and alcohol bans and signage.

6. Appendices

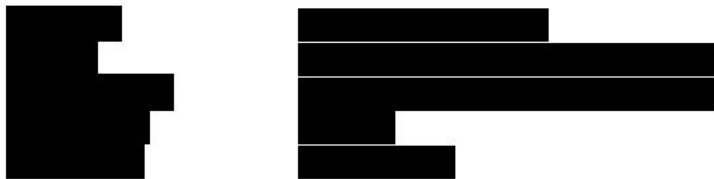
Appendix 1 – Submissions on the Proposed Alcohol Control Bylaw

Contact Officer: Karen Yates, Policy and Governance Manager

Reviewed By: Harry Wilson, Chief Executive

Appendix 1 – Submissions on the Proposed Alcohol Control Bylaw

#1 Grant Plumbley



Page 1

Q1

Contact Details

Name [REDACTED]
Address [REDACTED]
City/Town [REDACTED]
Email Address [REDACTED]

Q2

The problem we are addressing with this bylaw can be defined as "crime or disorder caused or made worse by the consumption of alcohol in public places", (refer to paragraph three of the Statement of Proposal). Do you agree with the problem as we have stated it?

No,
Is there more (or less) that we should consider?:
YOU STATE THAT THERE IS NO PROBLEM CURRENTLY AND ACTUALLY QUESTION IF THERE IS ACTUAL NEED FOR BYLAW. SEEMS INCONGRUOUS. SEEMS YOU ARE LOOKING TO ANTICIPATE THAT THERE MAY BE A PROBLEM AND LOOKING TO HAVE A READY SOLUTION?

Q3

We propose the following controls (refer to paragraph four of the Statement of Proposal). Select the controls you agree with.

The bylaw would provide for an alcohol ban for Toast Martinborough as it is a well-established and recurring event.
,
The bylaw would enable Council to make alcohol bans by resolution (instead of going through a formal bylaw review process).
,
Do you have any comments on the proposed bylaw controls?:
DEPENDS ON THE RESOLUTION PROCESS - CAN YOU MAKE THAT MORE OBVIOUS BY DETAILING WHAT THAT PROCESS IS?

Q4

Yes

We do not propose to include permanent alcohol ban areas in the bylaw, including the Featherston CBD alcohol ban in the previous bylaw. We do not think there is sufficient evidence of a high level of crime or disorder caused or made worse by alcohol consumption in the district to support this. Refer to paragraph four of the Statement of Proposal. Do you agree?

Q5

What other actions do you think Council could take to address public safety and reduce alcohol related crime and disorder in the community?

IF ANYTHING THE COUNCIL SHOULD BE CONSIDERING PEDESTRIANISING THE SQUARE AND MAKING IT THE FOCAL POINT. I WOULD THINK THIS WOULD INVOLVE MORE SPACE TO BRING AND ENJOY ALCOHOL AND FOOD RESPONSIBLY. ASSOCIATED WITH THE ARTS, MUSIC, BUSKING, STREET ART, ETC.

A EUROPEAN PIAZZA!

THIS WOULD REQUIRE MORE TABLES, SEATING, TREES/LANDSCAPING, LIGHTING, POWER ETC

Q6

Do you have any other comments that you want us to consider?

Explanatory Note: Before making an alcohol ban by resolution Council must comply with criteria prescribed in section 147B of the Local Government Act 2002. As at the date the Bylaw comes into effect, before making a resolution Council must be satisfied that:

“(a) there is evidence that the area to which the Bylaw applies (or will apply by virtue of the resolution) has experienced a high level of crime or disorder that can be shown to have been caused or made worse by alcohol consumption in the area; and

(b) the Bylaw, as applied by the resolution,—

(i) is appropriate and proportionate in the light of the evidence; and

(ii) can be justified as a reasonable limitation on people’s rights and freedoms.

Council must also comply with the general decision-making requirements in sections 77—82 of the Local Government Act 2002.

I WOULD LIKE MORE INFORMATION OF THE THRESHOLD FOR WHEN AN AREA IS DEEMED TO HAVE A 'HIGH' LEVEL OF CRIME AND DISORDER, AND MORE INFORMATION ON THIS PROCESS IN GENERAL

Q7

No

Do you want to speak to your submission on the 22 September?

#2 Guy Walmsley



Page 1

Q1

Contact Details

Name



City/Town



Email Address



Q2

Yes

The problem we are addressing with this bylaw can be defined as "crime or disorder caused or made worse by the consumption of alcohol in public places", (refer to paragraph three of the Statement of Proposal). Do you agree with the problem as we have stated it?

Q3

We propose the following controls (refer to paragraph four of the Statement of Proposal). Select the controls you agree with.

The bylaw would provide for an alcohol ban for Toast Martinborough as it is a well-established and recurring event.

,

The bylaw would enable Council to make alcohol bans by resolution (instead of going through a formal bylaw review process).

Q4

Yes

We do not propose to include permanent alcohol ban areas in the bylaw, including the Featherston CBD alcohol ban in the previous bylaw. We do not think there is sufficient evidence of a high level of crime or disorder caused or made worse by alcohol consumption in the district to support this. Refer to paragraph four of the Statement of Proposal. Do you agree?

Q5 **Respondent skipped this question**
What other actions do you think Council could take to address public safety and reduce alcohol related crime and disorder in the community?

Q6 **Respondent skipped this question**
Do you have any other comments that you want us to consider?

Q7 **No**
Do you want to speak to your submission on the 22 September?

#3 Anglea McAvoy



Page 1

Q1

Contact Details

Name	[Redacted]
Address	[Redacted]
City/Town	[Redacted]
Email Address	[Redacted]
Phone Number	[Redacted]

Q2

The problem we are addressing with this bylaw can be defined as "crime or disorder caused or made worse by the consumption of alcohol in public places", (refer to paragraph three of the Statement of Proposal). Do you agree with the problem as we have stated it?

No,
Is there more (or less) that we should consider?:
It's not just alcohol and a ban will have no effect .

Q3

We propose the following controls (refer to paragraph four of the Statement of Proposal).Select the controls you agree with.

Do you have any comments on the proposed bylaw controls?:
Already controlled as bars aren't open when toast finishes .
Your proposal is a overkill and really not required .

Q4

We do not propose to include permanent alcohol ban areas in the bylaw, including the Featherston CBD alcohol ban in the previous bylaw. We do not think there is sufficient evidence of a high level of crime or disorder caused or made worse by alcohol consumption in the district to support this. Refer to paragraph four of the Statement of Proposal.Do you agree?

Yes

Q5

What other actions do you think Council could take to address public safety and reduce alcohol related crime and disorder in the community?

Just get us a policeman and he will help sort any crime . Most crime is definitely not alcohol related as you should well know

Q6

Respondent skipped this question

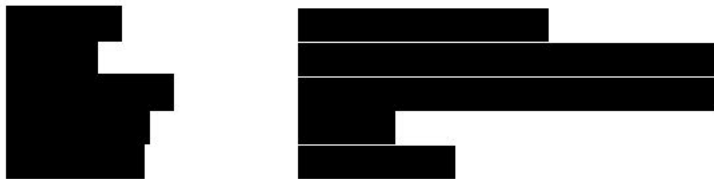
Do you have any other comments that you want us to consider?

Q7

No

Do you want to speak to your submission on the 22 September?

#4 Emma Cameron



Page 1

Q1

Contact Details

Name [Redacted]
Address [Redacted]
City/Town [Redacted]
Email Address [Redacted]
Phone Number [Redacted]

Q2

The problem we are addressing with this bylaw can be defined as "crime or disorder caused or made worse by the consumption of alcohol in public places", (refer to paragraph three of the Statement of Proposal). Do you agree with the problem as we have stated it?

No,
Is there more (or less) that we should consider?:
There is no identified issue at the moment so this is irrelevant to our community.

Q3

We propose the following controls (refer to paragraph four of the Statement of Proposal). Select the controls you agree with.

Do you have any comments on the proposed bylaw controls?:
None of these are required at the current time. Please use staff and councillor time on issues that do exist such as water and adaption to climate change.

Q4

We do not propose to include permanent alcohol ban areas in the bylaw, including the Featherston CBD alcohol ban in the previous bylaw. We do not think there is sufficient evidence of a high level of crime or disorder caused or made worse by alcohol consumption in the district to support this. Refer to paragraph four of the Statement of Proposal. Do you agree?

Yes

Q5

What other actions do you think Council could take to address public safety and reduce alcohol related crime and disorder in the community?

This is as you have stated "perceived" there is no evidence to back up the need for this bylaw.

Q6

Do you have any other comments that you want us to consider?

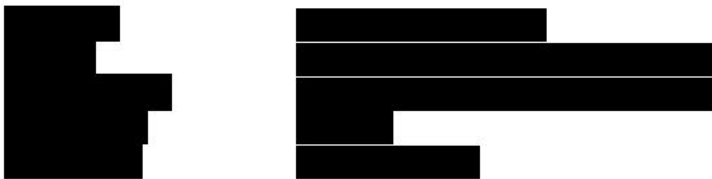
Please address real issues that are issues, not create diversions.

Q7

No

Do you want to speak to your submission on the 22 September?

#5 Donna Bennett



Page 1

Q1

Contact Details

Name [Redacted]
Address [Redacted]
City/Town [Redacted]
Email Address [Redacted]
Phone Number [Redacted]

Q2

The problem we are addressing with this bylaw can be defined as "crime or disorder caused or made worse by the consumption of alcohol in public places", (refer to paragraph three of the Statement of Proposal). Do you agree with the problem as we have stated it?

No,
Is there more (or less) that we should consider?:
There is no problem so this should not be looked at. If we have a local cop we wouldn't have any problems. The problems we have are not alcohol related and they are not drinking in public areas.

Q3

We propose the following controls (refer to paragraph four of the Statement of Proposal). Select the controls you agree with.

Do you have any comments on the proposed bylaw controls?:
I vote for neither we do not need this.

Q4

We do not propose to include permanent alcohol ban areas in the bylaw, including the Featherston CBD alcohol ban in the previous bylaw. We do not think there is sufficient evidence of a high level of crime or disorder caused or made worse by alcohol consumption in the district to support this. Refer to paragraph four of the Statement of Proposal. Do you agree?

Yes

Q5

What other actions do you think Council could take to address public safety and reduce alcohol related crime and disorder in the community?

Local police

Q6

Respondent skipped this question

Do you have any other comments that you want us to consider?

Q7

No

Do you want to speak to your submission on the 22 September?

#6 Patricia Jennings



Page 1

Q1

Contact Details

Name



Email Address



Q2

The problem we are addressing with this bylaw can be defined as "crime or disorder caused or made worse by the consumption of alcohol in public places", (refer to paragraph three of the Statement of Proposal). Do you agree with the problem as we have stated it?

No,

Is there more (or less) that we should consider?:
I think more explanation of the actual problem is required. This statement is too general, and then further in the document you state there is no actual problem.

Q3

We propose the following controls (refer to paragraph four of the Statement of Proposal). Select the controls you agree with.

Do you have any comments on the proposed bylaw controls?:

I'm not supportive of either.

Q4

We do not propose to include permanent alcohol ban areas in the bylaw, including the Featherston CBD alcohol ban in the previous bylaw. We do not think there is sufficient evidence of a high level of crime or disorder caused or made worse by alcohol consumption in the district to support this. Refer to paragraph four of the Statement of Proposal. Do you agree?

Yes

Q5

What other actions do you think Council could take to address public safety and reduce alcohol related crime and disorder in the community?

I haven't seen any evidence that crime and disorder in the community is alcohol related. Addressing public safety in general can be done by ensuring/providing a better police presence in Martinborough.

Q6

Do you have any other comments that you want us to consider?

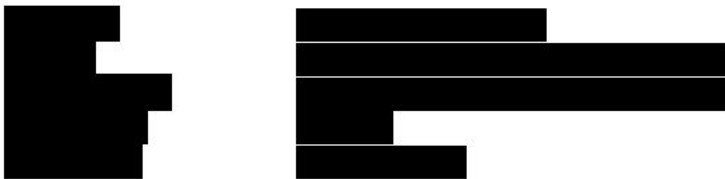
I appreciate you putting out this document for feedback. Unfortunately the document is not well written as it is confusing. It would have been better to clearly set out the problem that needs to be addressed, and options for solving that problem, with a recommendation. It's unclear why a bylaw is needed.

Q7

No

Do you want to speak to your submission on the 22 September?

#7 Lee Quayle



Page 1

Q1

Contact Details

Name



Address



City/Town



Email Address



Phone Number



Q2

The problem we are addressing with this bylaw can be defined as "crime or disorder caused or made worse by the consumption of alcohol in public places", (refer to paragraph three of the Statement of Proposal). Do you agree with the problem as we have stated it?

No,

Is there more (or less) that we should consider?:
Should say "potential" crime and disorder

Q3

We propose the following controls (refer to paragraph four of the Statement of Proposal). Select the controls you agree with.

The bylaw would provide for an alcohol ban for Toast Martinborough as it is a well-established and recurring event.

,

The bylaw would enable Council to make alcohol bans by resolution (instead of going through a formal bylaw review process).

Q4

We do not propose to include permanent alcohol ban areas in the bylaw, including the Featherston CBD alcohol ban in the previous bylaw. We do not think there is sufficient evidence of a high level of crime or disorder caused or made worse by alcohol consumption in the district to support this. Refer to paragraph four of the Statement of Proposal. Do you agree?

No,

If you answered no, please explain.:

We'll, maybe. The question I have is this: will the council be able to put in place a ban that has no end date? The other question is: would there be any appeal process to a proposed ban?

Q5

What other actions do you think Council could take to address public safety and reduce alcohol related crime and disorder in the community?

Lobby to get our local community police back.

Q6

Do you have any other comments that you want us to consider?

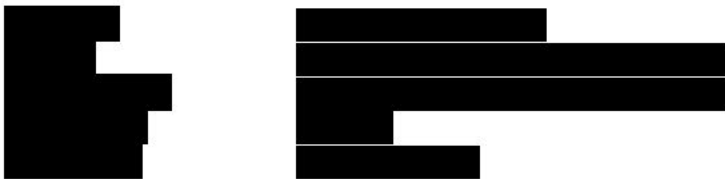
See my questions above.

Q7

No

Do you want to speak to your submission on the 22 September?

#8 Shawn Brown



Page 1

Q1

Contact Details

Name [Redacted]
Address [Redacted]
City/Town [Redacted]
Email Address [Redacted]
Phone Number [Redacted]

Q2

No

The problem we are addressing with this bylaw can be defined as "crime or disorder caused or made worse by the consumption of alcohol in public places", (refer to paragraph three of the Statement of Proposal). Do you agree with the problem as we have stated it?

Q3

Do you have any comments on the proposed bylaw controls?:
Have made comments in the last part on this form

We propose the following controls (refer to paragraph four of the Statement of Proposal).Select the controls you agree with.

Q4

Yes

We do not propose to include permanent alcohol ban areas in the bylaw, including the Featherston CBD alcohol ban in the previous bylaw. We do not think there is sufficient evidence of a high level of crime or disorder caused or made worse by alcohol consumption in the district to support this. Refer to paragraph four of the Statement of Proposal.Do you agree?

Q5

Respondent skipped this question

What other actions do you think Council could take to address public safety and reduce alcohol related crime and disorder in the community?

Q6

Do you have any other comments that you want us to consider?

Toast, has been down seizing for around the last 10 years .

One could call failing, with heavy and onerous regulation, increased compliance costs the fun factor has gone for the participants and toast martinborough share holders alike

Very similar to the sevens in Wellington.

ticket sales have fallen taking months to sell to a point

The festival may no longer be financial viable..

Basically why regulate or control something that has been beaten to death, but I guess it

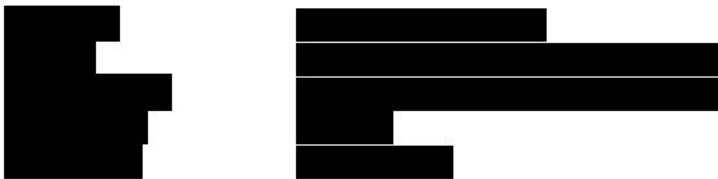
May be whacked a few more times for good measure

Q7

No

Do you want to speak to your submission on the 22 September?

#9 Glenis Sutherland



Page 1

Q1

Contact Details

Name	[Redacted]
Address	[Redacted]
City/Town	[Redacted]
Email Address	[Redacted]
Phone Number	[Redacted]

Q2

Respondent skipped this question

The problem we are addressing with this bylaw can be defined as "crime or disorder caused or made worse by the consumption of alcohol in public places", (refer to paragraph three of the Statement of Proposal). Do you agree with the problem as we have stated it?

Q3

Do you have any comments on the proposed bylaw controls?:
No ban is necessary

We propose the following controls (refer to paragraph four of the Statement of Proposal). Select the controls you agree with.

Q4

Yes

We do not propose to include permanent alcohol ban areas in the bylaw, including the Featherston CBD alcohol ban in the previous bylaw. We do not think there is sufficient evidence of a high level of crime or disorder caused or made worse by alcohol consumption in the district to support this. Refer to paragraph four of the Statement of Proposal. Do you agree?

Q5

What other actions do you think Council could take to address public safety and reduce alcohol related crime and disorder in the community?

None

Q6

Do you have any other comments that you want us to consider?

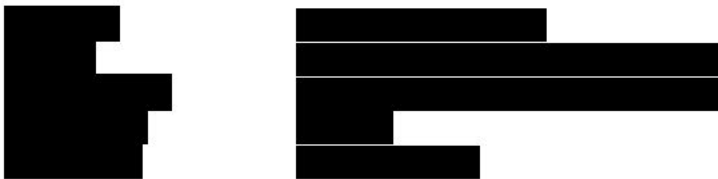
This appears to be yet another form of bullying by the council

Q7

No

Do you want to speak to your submission on the 22 September?

#10 Featherston Rugby Club



Page 1

Q1

Contact Details

Name



Organisation (only if authorised to submit on behalf)



Address



City/Town



Email Address



Phone Number



Q2

The problem we are addressing with this bylaw can be defined as "crime or disorder caused or made worse by the consumption of alcohol in public places", (refer to paragraph three of the Statement of Proposal). Do you agree with the problem as we have stated it?

Yes,

Is there more (or less) that we should consider?:

It is not just consideration of what happens at the event, it is what happens after the event at the public transport hubs. Example Toast Martinborough, intoxicated people at the railway station in Featherston, they are unable to control their actions, i.e., walking, talking and anything could go wrong. This would mean that people are being served when they are intoxicated, it all comes down to management of consumption of alcohol and crowd behavior, which should be the responsibility of the event organisers. If organisers cannot guarantee that they can meet the requirements or have failed to do so in two consecutive events, at that point the council have a right to put a ban on alcohol for that particular event.

Q3

We propose the following controls (refer to paragraph four of the Statement of Proposal). Select the controls you agree with.

The bylaw would enable Council to make alcohol bans by resolution (instead of going through a formal bylaw review process).

Do you have any comments on the proposed bylaw controls?:

It is about individual responsibility of the event organisers to manage this problem, if they fail twice then the organisers have proven that they are not capable of organising the event and following the rules of consumption of alcohol. Thereby making the event a health and safety issue. People will try and consume as much alcohol as they are given, but if it is controlled which is the rule then this will not happen.

Q4

We do not propose to include permanent alcohol ban areas in the bylaw, including the Featherston CBD alcohol ban in the previous bylaw. We do not think there is sufficient evidence of a high level of crime or disorder caused or made worse by alcohol consumption in the district to support this. Refer to paragraph four of the Statement of Proposal. Do you agree?

No,

If you answered no, please explain.:

Please keep an alcohol ban in the Featherston CBD, there are places where people can go and have a drink. You will just be encouraging those that do not follow the law to break it. Plus we have many young people who will use the skate park as a means to drink there.

Q5

What other actions do you think Council could take to address public safety and reduce alcohol related crime and disorder in the community?

Keep the current alcohol bans in place, limit the number of outlets where alcohol can be sold, ensure that alcohol must be sold at fair prices and not below the acceptable market prices. Alcohol is not at unacceptable low prices thereby encouraging excessive alcohol consumption, this should apply to licensed premises including club rooms.

Public can also email or phone the council and make them aware of problems with alcohol in public places. There is too many licensed premises who take this law for granted and do not follow the rules of the Act 2012. This should be taken seriously and whoever the culprit is, needs to be investigated and if there is proof needs to be warned before being fined.

Q6

Do you have any other comments that you want us to consider?

I am not against alcohol but we have to encourage responsible drinking for the well-being individuals and the community. We know that alcohol has a role but it is not a role that should be abused.

Q7

No

Do you want to speak to your submission on the 22 September?

#11 Nell



[Redacted text]

Page 1

Q1

Contact Details

Name	[Redacted]
Address	[Redacted]
City/Town	[Redacted]
Email Address	[Redacted]

Q2

The problem we are addressing with this bylaw can be defined as "crime or disorder caused or made worse by the consumption of alcohol in public places", (refer to paragraph three of the Statement of Proposal). Do you agree with the problem as we have stated it?

No,

Is there more (or less) that we should consider?:

The problem would be better defined as "one-off events showing an increase in alcohol-related crime or disorder". That's presuming there IS a problem around Toast and other alcohol-focussed festivals in Martinborough - there were zero statistics provided in your report. There is no evidence provided in the proposal that alcohol contributes to a significant proportion of the crime and disorder in the area. (pg 4 "Fortunately, our district does not experience significant incidents of alcohol-related crime and disorder and there are no particular problem areas that we are aware of"). So if there's no problem, why has there been a solution created? You need to more clearly define your scope for change and leave out the irrelevant pieces in your public policy proposals. From page 3: "A number of concerns about crime and disorder in the district have been raised. Not all of these are alcohol-related and so are outside of the scope of the Alcohol Control Bylaw. Some stakeholders have wanted to address social concerns such as problem drinking or the normalisation of drinking around young people through alcohol bans at, for example, playgrounds and sports grounds but this is also out of scope." There are problem areas, such as Toast and other wine festivals that have unfortunately deteriorated into binge-drinking affairs, but on the whole, South Wai does not seem to have a significant issue. I've read the proposed changes between the previous bylaw and this one, and it seems you acknowledge this too. You need to re-define the problem, so we the public, understand the issues that you are trying to resolve. At this stage, it seems very unclear and under-researched.

Q3

We propose the following controls (refer to paragraph four of the Statement of Proposal). Select the controls you agree with.

The bylaw would provide for an alcohol ban for Toast Martinborough as it is a well-established and recurring event.

Do you have any comments on the proposed bylaw controls?:

I fully support the banning of public alcohol consumption in large-scale events like Toast. I see the harm there. Anything further than that, and you're stepping on toes when you haven't properly defined the issue or scope, and given examples of how it will be used. The only reason I didn't tick the second box is the reasons above, I feel you haven't defined the problem well enough for us so there will be some public hesitation in allowing you to pursue this. I agree that it is more cost-effective to make alcohol bans by resolution instead of the bylaw review process, but you haven't done your due diligence.

Q4

We do not propose to include permanent alcohol ban areas in the bylaw, including the Featherston CBD alcohol ban in the previous bylaw. We do not think there is sufficient evidence of a high level of crime or disorder caused or made worse by alcohol consumption in the district to support this. Refer to paragraph four of the Statement of Proposal. Do you agree?

Yes,

If you answered no, please explain.:

Yes, you have no evidence of significant alcohol-related crime and therefore any permanent alcohol ban areas would be a breach of sections 147A and 155 of the Local Government Act (LGA), as you stated in page 3.

Q5

What other actions do you think Council could take to address public safety and reduce alcohol related crime and disorder in the community?

There are rumours that the police station in Featherston is to be closed soon and all services moved to Masterton. I think keeping this station in place is more important to spend your funding on, than by-laws that, by your own admission, are not needed apart from a few days per year.

Often in Martinborough on a Friday or Saturday, there are police cars doing laps around the square, and randomly stopping people and breath testing them. It seems they profile people, as my partner riding his motorbike was tested once on the way in and once on the way out of town. I feel a better way to do this, rather than the constant threat of a police car driving around would be;

- Police on foot, stopping to chat to people in the community: builds trust and confidence
- More police stops on the way out of Martinborough to catch drink drivers: builds an understanding that there is a zero-tolerance policy for it

Q6

Do you have any other comments that you want us to consider?

I would really like to see my council prioritizing infrastructure over vanity projects. Namely, the “beautification” of Marty square with those mod polka dots...

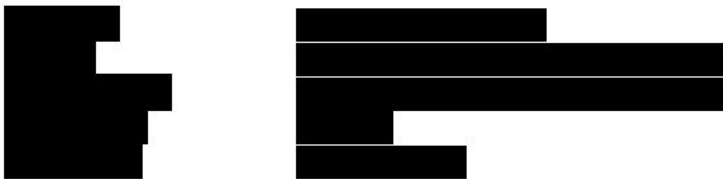
- They have reduced parking in the square, so without improving public transport services, cars just park further out on the side streets, endangering and annoying residents
 - There are better ways to fund more money into arts and culture than painting roads with circles
 - This seems like a vanity project for someone retiring soon, considering the poor quality of the state highways and major roads in the area.
 - They do not fit with the theme and architecture of the square at all
-

Q7

No

Do you want to speak to your submission on the 22 September?

#12 Matt Oldfield



Page 1

Q1

Contact Details

Name [Redacted]
Address [Redacted]
City/Town [Redacted]
Email Address [Redacted]
Phone Number [Redacted]

Q2

The problem we are addressing with this bylaw can be defined as "crime or disorder caused or made worse by the consumption of alcohol in public places", (refer to paragraph three of the Statement of Proposal). Do you agree with the problem as we have stated it?

No,
Is there more (or less) that we should consider?:
There is no current problem, please focus on the problems we do have (water, rubbish collection prices, rates rises, sh53 bridge, rural road repairs). Councils should focused on problems raised by the community, not trying to create problems to solve. Our town and NZ in general is already over policed in terms of alcohol laws. If you've traveled anywhere else is the world you would see that alcohol laws are lesser with fewer issues. Don't ruin our town for what it's know for, great relaxed small town hospitality. And Toast is already so over run with police and has been ruined, why stop people having fun?

Q3

We propose the following controls (refer to paragraph four of the Statement of Proposal).Select the controls you agree with.

Do you have any comments on the proposed bylaw controls?:
As above

Q4

We do not propose to include permanent alcohol ban areas in the bylaw, including the Featherston CBD alcohol ban in the previous bylaw. We do not think there is sufficient evidence of a high level of crime or disorder caused or made worse by alcohol consumption in the district to support this. Refer to paragraph four of the Statement of Proposal. Do you agree?

Yes,

If you answered no, please explain.:

You've made it pretty clear there isn't an issue so focus on where there is issues!

Q5

What other actions do you think Council could take to address public safety and reduce alcohol related crime and disorder in the community?

There isn't a problem! Let people enjoy themselves responsibly, we're not kids! If you over regulate this our thriving tourism economy will fail, which is what keeps the town going!!

Q6

Do you have any other comments that you want us to consider?

Please focus on actual issues that are important to residents. Please also hold public meetings after 6pm, most of your residents work in Wellington!

Q7

Do you want to speak to your submission on the 22 September?

No

#13 Alistair and Jenny Boyne



Page 1

Q1

Contact Details

Name [Redacted]
Address [Redacted]
City/Town [Redacted]
Email Address [Redacted]
Phone Number [Redacted]

Q2

The problem we are addressing with this bylaw can be defined as "crime or disorder caused or made worse by the consumption of alcohol in public places", (refer to paragraph three of the Statement of Proposal). Do you agree with the problem as we have stated it?

No,
Is there more (or less) that we should consider?:
Its not the alcohol that is committing the two offences you are referring to.

Q3

We propose the following controls (refer to paragraph four of the Statement of Proposal). Select the controls you agree with.

Do you have any comments on the proposed bylaw controls?:
Do not support either of your proposals. in regard to the first- alcohol ban for Toast Martinborough. The Board and shareholders of Toast Martinborough have worked and invested an enormous amount of time and money creating and maintaining a premier event held in our district for locals and visitors to enjoy and the money spent stays local. Why are you restlessly putting them thru hoops. in regard to the second- make alcohol bans by resolution. Really, Not comfortable that you have agreed to allow Council staff to determine where alcohol bans will be put in place whenever it suits them. Why not go and seek a referendum on Prohibition for the District, as clearly you see a problem that needs addressing.

Q4

We do not propose to include permanent alcohol ban areas in the bylaw, including the Featherston CBD alcohol ban in the previous bylaw. We do not think there is sufficient evidence of a high level of crime or disorder caused or made worse by alcohol consumption in the district to support this. Refer to paragraph four of the Statement of Proposal. Do you agree?

If you answered no, please explain.:

Confused, are you removing the permanent ban in the CBD Featherston. Noted that there is no mention of our other town Greytown nor Settlements in the District. if you are not seeking permanent designated areas with this bylaw, what are you trying to achieve. Do you believe that crime and disorder only occur on the third Sunday in November each year in Martinborough.

Q5

What other actions do you think Council could take to address public safety and reduce alcohol related crime and disorder in the community?

We do not consider that it is Councils core business to reduce alcohol consumption. Crime and Disorder are matters for the Police .

Q6

Do you have any other comments that you want us to consider?

Yes please concentrate on ensuring our roads are safe to drive, there are footpaths to walk on and water tables clear of debris to allow water to pass thru culverts.

Q7

Yes

Do you want to speak to your submission on the 22 September?

#14 Phillipa Evernden



Page 1

Q1

Contact Details

Name [REDACTED]
Address [REDACTED]
City/Town [REDACTED]
Email Address [REDACTED]
Phone Number [REDACTED]

Q2

The problem we are addressing with this bylaw can be defined as "crime or disorder caused or made worse by the consumption of alcohol in public places", (refer to paragraph three of the Statement of Proposal). Do you agree with the problem as we have stated it?

No,
Is there more (or less) that we should consider?:
the statement of proposal states: "Fortunately, our district does not experience significant incidents of alcohol related crime and disorder and there are no particular problem areas that we are aware of, including the area covered by the previous Featherston CBD alcohol ban" So in my opinion there is NO issue here that needs addressing - please do not proceed with this proposal.

Q3

We propose the following controls (refer to paragraph four of the Statement of Proposal). Select the controls you agree with.

Do you have any comments on the proposed bylaw controls?:
I don't agree with either control - both are not required given there is not an issue to be resolved.

Q4

We do not propose to include permanent alcohol ban areas in the bylaw, including the Featherston CBD alcohol ban in the previous bylaw. We do not think there is sufficient evidence of a high level of crime or disorder caused or made worse by alcohol consumption in the district to support this. Refer to paragraph four of the Statement of Proposal. Do you agree?

Yes,
If you answered no, please explain.:
Agree - there is no issue requiring resolution. No action required.

Q5

What other actions do you think Council could take to address public safety and reduce alcohol related crime and disorder in the community?

None - they should stay well out of it. Their own statement of proposal states there is no issue, so why is this proposal even being considered? waste of time and energy IMO.

Q6

Do you have any other comments that you want us to consider?

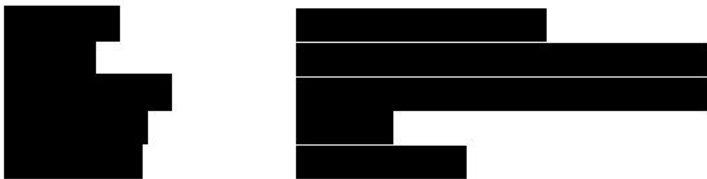
Forget this one, and focus on real issues, like fixing the roads, and the water supply which ARE known issues.

Q7

No

Do you want to speak to your submission on the 22 September?

#15 Rolf Westerhuis



Page 1

Q1

Contact Details

Name [Redacted]
Address [Redacted]
City/Town [Redacted]
Email Address [Redacted]
Phone Number [Redacted]

Q2

The problem we are addressing with this bylaw can be defined as "crime or disorder caused or made worse by the consumption of alcohol in public places", (refer to paragraph three of the Statement of Proposal). Do you agree with the problem as we have stated it?

No,
Is there more (or less) that we should consider?:
It has been stated on page 4 of the proposal that this is currently not a problem so why does Council need to address this.

Q3

We propose the following controls (refer to paragraph four of the Statement of Proposal).Select the controls you agree with.

Do you have any comments on the proposed bylaw controls?:
As above this is not a problem that Council needs to address.

Q4

We do not propose to include permanent alcohol ban areas in the bylaw, including the Featherston CBD alcohol ban in the previous bylaw. We do not think there is sufficient evidence of a high level of crime or disorder caused or made worse by alcohol consumption in the district to support this. Refer to paragraph four of the Statement of Proposal.Do you agree?

Yes

Q5

What other actions do you think Council could take to address public safety and reduce alcohol related crime and disorder in the community?

No further action is required from Council

Q6

Do you have any other comments that you want us to consider?

There are a number of alcohol policing strategies already in place for Toast e.g. Police and security guards, enforcing New Zealand's laws.

Q7

No

Do you want to speak to your submission on the 22 September?

#16 Vivienne Sault



Page 1

Q1

Contact Details

Name [Redacted]
Address [Redacted]
City/Town [Redacted]
Email Address [Redacted]
Phone Number [Redacted]

Q2

The problem we are addressing with this bylaw can be defined as "crime or disorder caused or made worse by the consumption of alcohol in public places", (refer to paragraph three of the Statement of Proposal). Do you agree with the problem as we have stated it?

Yes,
Is there more (or less) that we should consider?:
Seems like a sensible proposal

Q3

We propose the following controls (refer to paragraph four of the Statement of Proposal). Select the controls you agree with.

The bylaw would provide for an alcohol ban for Toast Martinborough as it is a well-established and recurring event.

,

The bylaw would enable Council to make alcohol bans by resolution (instead of going through a formal bylaw review process).

,

Do you have any comments on the proposed bylaw controls?:

No, agree

Q4

Yes

We do not propose to include permanent alcohol ban areas in the bylaw, including the Featherston CBD alcohol ban in the previous bylaw. We do not think there is sufficient evidence of a high level of crime or disorder caused or made worse by alcohol consumption in the district to support this. Refer to paragraph four of the Statement of Proposal. Do you agree?

Q5

What other actions do you think Council could take to address public safety and reduce alcohol related crime and disorder in the community?

None

Q6

Do you have any other comments that you want us to consider?

None

Q7

No

Do you want to speak to your submission on the 22 September?

#17 Jess Hale

[Redacted]

Page 1

Q1

Contact Details

Name [Redacted]

Address [Redacted]

City/Town [Redacted]

Email Address [Redacted]

Phone Number [Redacted]

Q2

The problem we are addressing with this bylaw can be defined as "crime or disorder caused or made worse by the consumption of alcohol in public places", (refer to paragraph three of the Statement of Proposal). Do you agree with the problem as we have stated it?

No,
Is there more (or less) that we should consider?:
I think you guys are just trying to ruin martinborough along with all the rubbish by-laws you have bought in or created since being elected, nobody wants this as there is absolutely no problem with people drinking on the square after toast martinborough and you are just going to ruin that aswell just like everything else you have ruined so far

Q3

We propose the following controls (refer to paragraph four of the Statement of Proposal).Select the controls you agree with.

Do you have any comments on the proposed bylaw controls?:
None I don't my agrees with any of your rubbish proposals you are just old painful people who have no sense of what this will do to the atmosphere in the square

Q4

We do not propose to include permanent alcohol ban areas in the bylaw, including the Featherston CBD alcohol ban in the previous bylaw. We do not think there is sufficient evidence of a high level of crime or disorder caused or made worse by alcohol consumption in the district to support this. Refer to paragraph four of the Statement of Proposal. Do you agree?

No,

If you answered no, please explain.:

None I don't agree with any of your rubbish proposals you are just old painful people who have no sense of what this will do to the atmosphere in the square And it will also ruin everything martinborough is at the moment if you bring any of your new rubbish laws into Place. the current existing ones that get out in place in terms of selling alcohol after the end of roast martinborough work perfectly well to control people in the square so don't ruin it

Q5

What other actions do you think Council could take to address public safety and reduce alcohol related crime and disorder in the community?

Nothing just leave everything alone

Q6

Do you have any other comments that you want us to consider?

I think you guys are just trying to ruin martinborough along with all the rubbish by-laws you have bought in or created since being elected, nobody wants this as there is absolutely no problem with people drinking on the square after toast martinborough and you are just going to ruin that aswell just like everything else you have ruined so far as and I don't agree with any of your rubbish proposals you are just old painful people who have no sense of what this will do to the atmosphere in the square And it will also ruin everything martinborough is at the moment if you bring any of your new rubbish laws into Place. the current existing ones that get out in place in terms of selling alcohol after the end of roast martinborough work perfectly well to control people in the square so don't ruin it

Q7

Do you want to speak to your submission on the 22 September?

No

#18 Poppies Martinborough



Page 1

Q1

Contact Details

Name [Redacted]
Address [Redacted]
City/Town [Redacted]
Email Address [Redacted]
Phone Number [Redacted]

Q2

The problem we are addressing with this bylaw can be defined as "crime or disorder caused or made worse by the consumption of alcohol in public places", (refer to paragraph three of the Statement of Proposal). Do you agree with the problem as we have stated it?

No

Q3

We propose the following controls (refer to paragraph four of the Statement of Proposal).Select the controls you agree with.

Respondent skipped this question

Q4

We do not propose to include permanent alcohol ban areas in the bylaw, including the Featherston CBD alcohol ban in the previous bylaw. We do not think there is sufficient evidence of a high level of crime or disorder caused or made worse by alcohol consumption in the district to support this. Refer to paragraph four of the Statement of Proposal.Do you agree?

Yes

Q5

What other actions do you think Council could take to address public safety and reduce alcohol related crime and disorder in the community?

improve lighting in the square

continue the discussions with licensed premises

Q6

Do you have any other comments that you want us to consider?

1. Toast Martinborough as it stands may be on the way out..... there is a lot of discussion in the industry that the current format has passed its used by date and needs to change to keep up with the changing environment
 2. Martinborough is growing and what happens in the next 2-5 years will have a significant impact on the structure of town and its offerings within the hospitality and tourism industry
 3. As wine is our main business (alcohol) we need to be careful in how we possibly restrict its consumption if we had issues I would be 100% behind this however as we don't have issues giving us additional time to see what happens in our growth would be better suited to controlling it in a way that benefits us all.
 4. I am 100% against people getting pissed in a public area I think its disgusting however public events like the Christmas parade etc in the square having a few wines or beers under the trees is such a privilege and this shouldn't have the potential to be restricted, a few beers outside the hotel or Cool Change on the footpath in the summer again shouldn't have the potential to be restricted if no issues
 5. Martinborough is very iconic and the ability to have a drink in a public space is a privilege and most people in town 100% respect this and that creates our culture, yes a few people get a little excited after a day of tasting wines and may ride bikes home in a more fun way than when they started however again there is no real issue here understanding this is not what the bylaw is about however it could potential to effect the way things operate as they do now. Again no real issue no real need to change
-

Q7

Yes

Do you want to speak to your submission on the 22 September?

#19 Conor Kershaw



Page 1

Q1

Contact Details

Name [Redacted]

Organisation (only if authorised to submit on behalf) [Redacted]

Address [Redacted]

City/Town [Redacted]

Email Address [Redacted]

Phone Number [Redacted]

Q2

The problem we are addressing with this bylaw can be defined as "crime or disorder caused or made worse by the consumption of alcohol in public places", (refer to paragraph three of the Statement of Proposal). Do you agree with the problem as we have stated it?

Yes,
Is there more (or less) that we should consider?:
As long as this is a tool to be used if there does become a problem. At this stage i feel there isnt one.

Q3

We propose the following controls (refer to paragraph four of the Statement of Proposal).Select the controls you agree with.

The bylaw would provide for an alcohol ban for Toast Martinborough as it is a well-established and recurring event.

,

The bylaw would enable Council to make alcohol bans by resolution (instead of going through a formal bylaw review process).

,

Do you have any comments on the proposed bylaw controls?:

Would be great for the Square and Park after the hours of darkness etc

Q4

We do not propose to include permanent alcohol ban areas in the bylaw, including the Featherston CBD alcohol ban in the previous bylaw. We do not think there is sufficient evidence of a high level of crime or disorder caused or made worse by alcohol consumption in the district to support this. Refer to paragraph four of the Statement of Proposal. Do you agree?

No,

If you answered no, please explain.:
Should be permanent in Children's parks

Q5

What other actions do you think Council could take to address public safety and reduce alcohol related crime and disorder in the community?

Not much as there does not seem to be much.

Lead the charge on Bike Paths to get cyclists of the road.

Q6

Respondent skipped this question

Do you have any other comments that you want us to consider?

Q7

No

Do you want to speak to your submission on the 22 September?

#20 Carolyn McArthur



Page 1

Q1

Contact Details

Name [Redacted]

Organisation (only if authorised to submit on behalf) [Redacted]

Address [Redacted]

City/Town [Redacted]

Email Address [Redacted]

Phone Number [Redacted]

Q2

The problem we are addressing with this bylaw can be defined as "crime or disorder caused or made worse by the consumption of alcohol in public places", (refer to paragraph three of the Statement of Proposal). Do you agree with the problem as we have stated it?

Yes,
Is there more (or less) that we should consider?:
No

Q3

We propose the following controls (refer to paragraph four of the Statement of Proposal).Select the controls you agree with.

The bylaw would provide for an alcohol ban for Toast Martinborough as it is a well-established and recurring event.

,

The bylaw would enable Council to make alcohol bans by resolution (instead of going through a formal bylaw review process).

Q4

Yes

We do not propose to include permanent alcohol ban areas in the bylaw, including the Featherston CBD alcohol ban in the previous bylaw. We do not think there is sufficient evidence of a high level of crime or disorder caused or made worse by alcohol consumption in the district to support this. Refer to paragraph four of the Statement of Proposal. Do you agree?

Q5

What other actions do you think Council could take to address public safety and reduce alcohol related crime and disorder in the community?

Public safety - consider various methods to increase safety of cyclists in the Martinborough area, particularly on the vineyard route on the weekends. Such as reduced speed limits, cycleways, collective agreement between businesses on how we care for visitors to the Martinborough area (with input from accommodation providers, cycle hires, tour operators, cellar doors, bars and restaurants, so that we all support the same message).

Q6

Do you have any other comments that you want us to consider?

Consider including interested stakeholders in future discussions and proposals made by SWDC, NZTA etc regarding roads, public safety and alcohol related disorder, as has been done with this proposal regarding the bylaw. I think we'll have better success as a community if we have buy-in to the solutions (as we have in this process).

Q7

No

Do you want to speak to your submission on the 22 September?

#21 Aidan Ellims

[Redacted]

Page 1

Q1

Contact Details

Name [Redacted]
Address [Redacted]
City/Town [Redacted]
Email Address [Redacted]

Q2

The problem we are addressing with this bylaw can be defined as "crime or disorder caused or made worse by the consumption of alcohol in public places", (refer to paragraph three of the Statement of Proposal). Do you agree with the problem as we have stated it?

No,

Is there more (or less) that we should consider?:
Paragraph 3 of the Statement of Proposal states that there are already "current Police powers to protect public safety" and that Police have a "Prevention First" strategy should be further implemented in South Wairarapa by having dedicated Police officers working in our communities, building relationships and networks with residents which will help prevent crime from occurring. If there are alcohol related crime/disorder incidents occurring as a result of organised/informal events, Police already have powers of arrest under a number of different statutes ie; Summary Offences Act or Crimes Act to arrest and detain offenders. Many Councils across NZ have already implemented Liquor ban bylaws, however has SWDC received data to show how many arrests and successful prosecutions have made it through the Courts under these Liquor ban bylaws? In my experience the majority of people arrested for breaching Liquor bans are released under Pre-charge warnings and never appear in Court.

Q3

We propose the following controls (refer to paragraph four of the Statement of Proposal). Select the controls you agree with.

Do you have any comments on the proposed bylaw controls?:

There is no point of having an alcohol ban when there are already other effective measures and offences available to address any perceived problem.

Q4

Yes

We do not propose to include permanent alcohol ban areas in the bylaw, including the Featherston CBD alcohol ban in the previous bylaw. We do not think there is sufficient evidence of a high level of crime or disorder caused or made worse by alcohol consumption in the district to support this. Refer to paragraph four of the Statement of Proposal. Do you agree?

Q5

What other actions do you think Council could take to address public safety and reduce alcohol related crime and disorder in the community?

I believe that SWDC should be strongly advocating and demanding the return to our three communities of Police staff who are dedicated and wholly responsible for working within these communities. There are huge benefits to communities which have a local Police officer who residents both urban and rural can build a relationship with, trust and respect which enables information to be passed from the community back to Police regarding unsafe or criminal activities or behaviours. By having local Police officers stationed and working in communities using the contacts and networks they have established, will enable Police to be in position to be able to prevent incidents from escalating and respond more promptly than they currently do while based out of Masterton Police Station.

Q6

Respondent skipped this question

Do you have any other comments that you want us to consider?

Q7

Yes

Do you want to speak to your submission on the 22 September?

#22 Roger Fraser



Page 1

Q1

Contact Details

Name [Redacted]
Address [Redacted]
City/Town [Redacted]
Email Address [Redacted]
Phone Number [Redacted]

Q2

No

The problem we are addressing with this bylaw can be defined as "crime or disorder caused or made worse by the consumption of alcohol in public places", (refer to paragraph three of the Statement of Proposal). Do you agree with the problem as we have stated it?

Q3

Respondent skipped this question

We propose the following controls (refer to paragraph four of the Statement of Proposal).Select the controls you agree with.

Q4

Respondent skipped this question

We do not propose to include permanent alcohol ban areas in the bylaw, including the Featherston CBD alcohol ban in the previous bylaw. We do not think there is sufficient evidence of a high level of crime or disorder caused or made worse by alcohol consumption in the district to support this. Refer to paragraph four of the Statement of Proposal.Do you agree?

Q5

Respondent skipped this question

What other actions do you think Council could take to address public safety and reduce alcohol related crime and disorder in the community?

Q6

Do you have any other comments that you want us to consider?

I strongly oppose the proposed bylaw.

We live in a highly regulated society which results in costs and complexity that are an increasing burden to its citizens. Any new regulation, bylaw, or other legislative measure should therefore only be introduced where there is a clear requirement for doing so. So, does this proposed new bylaw meet the required test? I submit it does not, for the following reasons:

- The bylaw proposal states the problem we are addressing with this bylaw can be defined as "crime or disorder caused or made worse by the consumption of alcohol in public places". Yet, there is no evidence this problem exists. Neither the police nor council staff report an existing issue, so the proposed bylaw fails this essential measure.
- Every new bylaw, task or other responsibility assumed by Council, no matter how small, adds to the workload and administrative costs of the organisation. Council is already struggling with delivering basic services at a cost ratepayers can afford. It does not need yet another bylaw that will need to be managed by someone at a cost to ratepayers. Particularly when no documented problem exists.
- The Q&A document on the proposed bylaw states "without a bylaw we can't mandate alcohol bans for events as they occur during the year. Also, we wouldn't be able to introduce an alcohol ban area". This is another worrisome aspect. If the bylaw is enacted as proposed it essentially gives council staff authority to implement bans with minimal consultation. Powers currently exist to implement bans in one-off cases (like the Toast Martinborough example given in the consultation papers). The existing process in any specific case requires all factors to be considered, consultation carried out, and a mutually acceptable decision made. It is not appropriate blanket powers on these matters should in the hands of a few council officers.
- The briefing papers talk about needing the bylaw for Council to deal with the potential development of "a high level of crime or disorder". It is not the role of Council to be dealing with aspects of high levels of crime and disorder; that is the job of the police. And, to repeat, there is no evidence of an existing issue requiring attention.
- A read of the Q&A indicates a flawed thought process. Quote "We would need to take into account that it is difficult to obtain quantitative evidence because people often do not make official complaints and the Police may deal with problems informally rather than issuing infringement notices". Two issues arise from this
 - First, clearly the numbers of assumed offenders small or negligible. Yet, the discussion paper seems to imply that the problem is much greater than it really is, using this as a justification for another bylaw
 - Second, it seems to assume the police are acting inappropriately by not charging individuals. Police have the expertise to know that in cases of minor breaches a low-key approach may be the best outcome. This bylaw seems to question that judgement
- The bar for restricting people's freedom via the use of alcohol bans has been raised in changes to legislation. Why is Council then proposing a bylaw giving an ability to implement them, when its own discussion papers state "there is no evidence of alcohol-related crime or disorder in Featherston or anywhere else in our district"

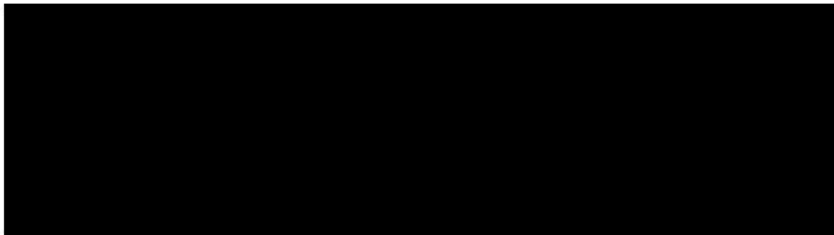
While I have detailed my main objections to the proposed bylaw above, I would close by saying this proposed change is another example of regulating the majority due to the behaviour of a very small minority. It should not be implemented.

Q7

No

Do you want to speak to your submission on the 22 September?

#23 Regional Public Health



Page 1

Q1

Contact Details

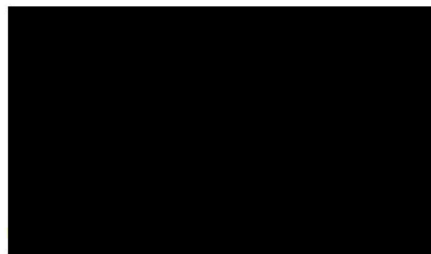
Name

Organisation (only if authorised to submit on behalf)

Address

Email Address

Phone Number



Q2

Yes

The problem we are addressing with this bylaw can be defined as "crime or disorder caused or made worse by the consumption of alcohol in public places", (refer to paragraph three of the Statement of Proposal). Do you agree with the problem as we have stated it?

Q3

We propose the following controls (refer to paragraph four of the Statement of Proposal). Select the controls you agree with.

The bylaw would provide for an alcohol ban for Toast Martinborough as it is a well-established and recurring event.

The bylaw would enable Council to make alcohol bans by resolution (instead of going through a formal bylaw review process).

Q4

Yes

We do not propose to include permanent alcohol ban areas in the bylaw, including the Featherston CBD alcohol ban in the previous bylaw. We do not think there is sufficient evidence of a high level of crime or disorder caused or made worse by alcohol consumption in the district to support this. Refer to paragraph four of the Statement of Proposal. Do you agree?

Q5

What other actions do you think Council could take to address public safety and reduce alcohol related crime and disorder in the community?

See comments below

Q6

Do you have any other comments that you want us to consider?

Thank you for the opportunity to provide a written submission on this statement of proposal.

Regional Public Health serves the greater Wellington Region, through its three district health boards (DHBs): Capital & Coast, Hutt Valley and Wairarapa and as a service is part of the Hutt Valley District Health Board.

We work with our community to make it a healthier safer place to live. We promote good health, prevent disease, and improve the quality of life for our population, with a particular focus on children, Māori and working with primary care organisations. Our staff includes a range of occupations such as: medical officers of health, public health advisors, health protection officers, public health nurses, covid-19 teams and public health analysts.

Our service delivery includes work to reduce alcohol related harm in the Wairarapa and we are one of the three reporting agencies in the Sale and Supply of Alcohol Act 2012 reporting on liquor licence applications.

Summary

Regional Public Health (RPH) appreciates the opportunity to submit on the proposed Alcohol Control Bylaw.

RPH supports the Council's position to proceed with Option 1 outlined in your Statement of Proposal which recommends the following:

- Provides Council and the Police with a regulatory tool to control the possession and consumption of alcohol in public places leading to a reduction in crime or disorder caused or made worse by alcohol
- Promotes and maintains public health and safety
- Is an appropriate balance between regulatory and non-regulatory strategies to reduce alcohol-related crime and disorder
- Enables new controls to be in place prior to Toast Martinborough in November

RPH recommends

Alcohol bans are generally well supported by residents and businesses. However the details are often not well known especially by visitors. The council should ensure the bylaw is successfully communicated to the public so the details are well understood.

RPH recommends highly visible and simple signage be used to inform the public of the locations and times covered by an alcohol ban. This should be part of a wider communication and enforcement plan that supports an alcohol ban.

Support for Alcohol Control Bylaws

Public place drinking is one of a number of negative influences contributing to alcohol related harm. Public place settings are a common location for low level alcohol related offending, increase the opportunity for more serious alcohol-related violence¹ and increase the opportunities for drunk driving and underage drinking².

Alcohol Control Bylaws are a widely used and well-established tool internationally and in New Zealand. They are known to improve perceptions of public safety and can contribute to the reduction of harm by providing police with a tool for dealing with antisocial behaviour caused by drinking in public³. They can also contribute to change in people's perception of social norms through alcohol being less visible in public and can help limit consumption to more controlled or supervised environments.

The literature reports some limitations. Displacement can be a problem^{4 5} and disadvantaged and marginalised groups are more likely to consume alcohol in public, either by choice or because of limited alternatives.^{6 7}

Alcohol bylaws are most successful when part of a wider strategy.^{8 9} These should include other regulations for supply control for example elements in a Local Alcohol Policy, as well as community based harm reduction initiatives, social and cultural programmes and access to health services.

Alcohol bylaws are most successful when the underlying causes are understood, that context addressed and the community are engaged in the solutions.

Support for an Alcohol Control Bylaw in South Wairarapa

Alcohol harm in South Wairarapa from consumption in a public place is a particular subset of harm that is influenced by the easy availability of low cost alcohol from off licences and the high density of premises in the district. Harms from public place drinking are often associated with heavy or binge drinking. This consumption is influenced by certain social or cultural cues and its interaction with the local physical or built environment.

The value of public consultation

We commend the Council for setting up a public meeting to consult with your community and provide additional information on your website for those who weren't able to attend this meeting. This ensures that your communities are able to be involved in the consultative process and have an opportunity to address any questions or concerns they may have.

Community knowledge of alcohol free zones

Having variable restrictions can cause confusion. Such concerns were raised in the Law Commission report Alcohol in Public Places.¹⁰ It is important there is on-going clear communication about the specific locations and the times the ban operates throughout the life of the bylaw.

Ensuring effectiveness and meeting legislative requirements

Evaluating an implemented policy is important to assess the impact both positive and negative. Prior to the next review it may be beneficial for the Council to again collaborate with other agencies involved in alcohol harm reduction and complete an evaluative impact assessment. This would provide policy makers with a high level of evidence supporting the requirements under the Local Government Act, support a sustainable approach to the wellbeing of communities and a participatory and consultative approach to policy-making.

1 Stevenson, R. (2009, April). National Alcohol Assessment. NZ Police. <https://www.police.govt.nz/sites/default/files/Police-National-Alcohol-Assessment.pdf>

2 Webb, M., Marriott-Lloyd, P. A. U. L., & Grenfell, M. (2004, May). Banning the bottle: Liquor bans in New Zealand. In 3rd Australasian Drug Strategy Conference. Melbourne, Australia
[http://www.moh.govt.nz/moh.nsf/pagescm/1047/\\$File/banningbottleliquorbans.pdf](http://www.moh.govt.nz/moh.nsf/pagescm/1047/$File/banningbottleliquorbans.pdf)

3 Pennay, A., Manton, E., Savic, M., Livingston, M., Matthews, S., Lloyd, B. (2014). Prohibiting public drinking in an urban area: Determining the impacts on police, the community and marginalised groups. Turning Point Alcohol and Drug Centre. Funded by the National Drug Law Enforcement Research Fund. <http://www.ndlerf.gov.au/sites/default/files/publication-documents/monographs/monograph49.pdf>

Reducing Alcohol Related Crime and Disorder Proposed Alcohol Control Bylaw

- 4 Alcohol Advisory Council. (2005, October). Liquor Bans in New Zealand: ALAC Occasional Publication no. 25. <http://www.hpa.org.nz/research-library/research-publications/liquor-bans-new-zealand>
- 5 Pennay, A., Manton, E., Savic, M., Livingston, M., Matthews, S., Lloyd, B., (2014). Prohibiting public drinking in an urban area: Determining the impacts on police, the community and marginalised groups. Turning Point Alcohol and Drug Centre. Funded by the National Drug Law Enforcement Research Fund. <http://www.ndlerf.gov.au/sites/default/files/publicationdocuments/monographs/monograph49.pdf>
- 6 Pennay, A., Room, R. (2012). Prohibiting public drinking in urban public spaces: a review of the evidence. *Drugs: Education, prevention and policy*, vol 19(2), p 91-101
- 7 Pennay, A., Manton, E., Savic, M., Livingston, M., Matthews, S., Lloyd, B., (2014). Prohibiting public drinking in an urban area: Determining the impacts on police, the community and marginalised groups. Turning Point Alcohol and Drug Centre. Funded by the National Drug Law Enforcement Research Fund. <http://www.ndlerf.gov.au/sites/default/files/publicationdocuments/monographs/monograph49.pdf>
- 8 Alcohol Advisory Council. (2005, October). Liquor Bans in New Zealand: ALAC Occasional Publication no. 25. <http://www.hpa.org.nz/research-library/research-publications/liquor-bans-new-zealand>
- 9 Pennay, A., Manton, E., Savic, M., Livingston, M., Matthews, S., Lloyd, B. (2014). Prohibiting public drinking in an urban area: Determining the impacts on police, the community and marginalised groups. Turning Point Alcohol and Drug Centre. Funded by the National Drug Law Enforcement Research Fund. <http://www.ndlerf.gov.au/sites/default/files/publication-documents/monographs/monograph49.pdf>
- 10 Law Commission. (2009). *Alcohol in our lives: An issues paper on the reform of New Zealand liquor laws*.
-

Q7

No

Do you want to speak to your submission on the 22 September?
