

Notice of Meeting:

I hereby give notice that an ordinary meeting of the Consultation Hearings will be held on:

Date: Wednesday 27 November 2024
Time: 9.30 am
Venue: Council Chambers, Dunedin Public Art Gallery, The Octagon,
Dunedin

Sandy Graham
Chief Executive Officer

Consultation Hearings
Draft Local Alcohol Policy
PUBLIC AGENDA

MEMBERSHIP

Chairperson	Cr Jim O'Malley	
Members	Cr Bill Acklin Cr Kevin Gilbert Cr Steve Walker	Cr David Benson-Pope Cr Marie Laufiso Cr Andrew Whiley
Senior Officer	Kevin Mechen, Secretary, District Licensing Committee	
Governance Support Officer	Lynne Adamson	

Lynne Adamson
Governance Support Officer

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Note: *Reports and recommendations contained in this agenda are not to be considered as Council policy until adopted.*

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1 APOLOGIES

At the close of the agenda no apologies had been received.

DECLARATION OF INTEREST

EXECUTIVE SUMMARY

1. Members are reminded of the need to stand aside from decision-making when a conflict arises between their role as an elected representative and any private or other external interest they might have.
2. Elected members are reminded to update their register of interests as soon as practicable, including amending the register at this meeting if necessary.

RECOMMENDATIONS

That the Committee:

- a) **Notes/Amends** if necessary the Elected Members' Interest Register attached as Attachment A; and
- b) **Confirms/Amends** the proposed management plan for Elected Members' Interests.

Attachments

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Local Alcohol Policy Consultation Hearings Committee Interest Register				
19 November 2024				
Councillors are members of all committees				
Name	Responsibility (i.e. Chairperson etc)	Declaration of Interests	Nature of Potential Interest	Member's Proposed Management Plan
Cr Jim O'Malley	Owner	Biocentrix Ltd	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Owner	Residential Property Dunedin	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Owner	Ayrmед Limited	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Northern AFC	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Director	Ocho Newco Limited	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Ice Sports Dunedin Incorporated (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Connecting Dunedin (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Dunedin Hospital Local Advisory Group (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Otago Regional Transport Committee (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Okia Reserve Management Committee (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Tertiary Precinct Planning Group (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
Member	Waikouaiti Coast Community Board (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.	
Cr Bill Acklin	Shareholder/Director	Dunedin Brokers Limited	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	APRA - AMCOS	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Entertainer	Various functions	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Strath Taieri Community Board (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Casual Employee	Insulmax	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Craigieburn Reserve Committee (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
Member	Toitū Otago Settlers Museum Board (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.	
Cr David Benson-Pope	Owner	Residential Property Ownership in Dunedin	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Trustee and Beneficiary	Blind Investment Trusts	Duty to Trust may conflict with duties of Council Office	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Yellow-eyed Penguin Trust	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.

Name	Responsibility (i.e. Chairperson etc)	Declaration of Interests	Nature of Potential Interest	Member's Proposed Management Plan
	Member	New Zealand Labour Party	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Dunedin Heritage Fund (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Dunedin Public Art Gallery Acquisitions Committee (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Otago Museum Trust Board (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
Cr Kevin Gilbert	Owner	Gipfel Limited - Bakery	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Trustee	Schlubert Trust - Residential Property	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Trustee	Schlup Family Trust	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	BNI	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Business South	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Shareholder	Air New Zealand	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Trustee	Kevin Gilbert and Esther Gilbert Partnership - Residential Rental Property	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Trustee	Biddies Trust	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Advisors	Ronald McDonald House Supper Club Committee	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Dunedin Fair Trading Committee (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Local Government New Zealand (Zone 6 Committee) (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member (alternate)	Otago Regional Transport Committee (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Toitū Otago Settlers Museum Board (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Keep Dunedin Beautiful (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Otago Settlers Association (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Saddle Hill Community Board (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Chair	Food Equity and Education Dunedin (FEED) Charitable Trust	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	National Industry Advisors Group Food and Beverage (Workforce Development Council)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Connecting Dunedin (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.

Name	Responsibility (i.e. Chairperson etc)	Declaration of Interests	Nature of Potential Interest	Member's Proposed Management Plan
Cr Marie Laufiso	Property Owner	Residential Property	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Trustee	Moray Place Community Building Trust - Trust Owner of Property 111 Moray Place	Duty to Trust may conflict with duties of Council Office	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Chair	Otago Mental Health Support Trust	Potential grants applicant which would result in pecuniary interest. Duty to Trust may conflict with duties of Council Office	Do not participate in consideration of grants applications. If the meeting is in public excluded, to leave the room.
	Member	Women of Ōtepoti Recognition Initiative	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Family Member	Staff member a relative	Potential conflict depending on level of staff member involvement	Managed by staff at officer level if a perceived conflict of interest arises.
	Trustee	Corso Ōtepoti Dunedin Trust	Potential grants recipient	Withdraw from discussion and leave the table. If in public excluded leave the room. Seek advice prior to the meeting.
	Member	Dunedin Manufacturing Holdings Inc	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Secretary	BIAS Charitable Trust	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Dunedin Branch Treasurer	P.A.C.I.F.I.C.A Inc	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Secretary	Dunedin Abrahamic Interfaith Group (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Trustee and Secretary	Refugee Support Group	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Chairperson	Dunedin Former Refugee Steering Committee (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Chairperson	Social Wellbeing Advisory Group (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	District Licensing Committee (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
Chairperson	Grants Subcommittee (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.	
Cr Steve Walker	Trustee	Dunedin Wildlife Hospital Trust	Potential grants recipient	Withdraw from discussion and leave the table. If the meeting is in public excluded leave the room. Seek advice prior to the meeting.
	Member	Orokonui Ecosanctuary	Potential grants recipient	Withdraw from discussion and leave the table. If the meeting is in public excluded leave the room. Seek advice prior to the meeting.
	Member	Society of Beer Advocates	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	New Zealand Labour Party	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Port Chalmers Historical Society	Potential grants recipient	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Owner	Residential Property - Dunedin	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Shareholder	Various publicly listed companies	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.

Name	Responsibility (i.e. Chairperson etc)	Declaration of Interests	Nature of Potential Interest	Member's Proposed Management Plan
	Member	NZ Sea Lion Trust	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Dunedin Edinburgh Sister City Society (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Justice of the Peace		No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Trustee	Predator Free Dunedin	No conflict	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Predator Free Dunedin (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
Cr Andrew Whiley	Owner/Operator	Whiley Golf Inc and New Zealand Golf Travel Ltd	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Director/Shareholder 22 May 2017	Estate of Grace Limited	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Trustee	Japek (Family Trust) - Property Ownership - Dunedin	Duties to Trust may conflict with duties of Council Office.	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Otago Golf Club	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Dunedin South Rotary Club	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Institute of Directors	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	National Party	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Board Chair	Volunteer South	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	New Zealand PGA (Professional Golf Association)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Chair	Dunedin Community House Executive Committee	Potential grants recipient	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Otago Property Investors Association	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Hereweka Harbour Cone Trust (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Otago Peninsula Community Board (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Dunedin Shanghai Association (Sister City Society) (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Grow Dunedin Partnership (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	NZ Masters Games Trust Board (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Member	Puketai Residential Centre Liaison Committee (Council Appointment)	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.
	Board Member	Dunedin Christmas Charitable Trust	No conflict identified	Seek advice prior to the meeting if actual or perceived conflict of interest arises.

PART A REPORTS

RESULTS OF CONSULTATION ON REVIEW OF DUNEDIN DRAFT LOCAL ALCOHOL POLICY:

Department:

EXECUTIVE SUMMARY

- 1 At its 24 September 2024 meeting Counsel resolved to review the Local Alcohol Policy (LAP) before its expiry on 01 February 2025.
- 2 This report to the Hearings Subcommittee summarises the 85 submissions received during the consultation period which was 14 October to 14 November 2024.
- 3 Of the submissions received, 56% were supportive of the direction indicated in the draft LAP while 41% did not agree.
- 4 Twenty submitters wish to be heard.

RECOMMENDATIONS

That the Committee:

- a) **Consider** the submissions on the review of the Local Alcohol Policy.
- b) **Make** recommendations to Council on the review of the Local Alcohol Policy.

BACKGROUND

- 5 The Local Alcohol Policy was developed and adopted pursuant to section 75 of the Sale and Supply of Alcohol Act 2012 (the Act) and took effect on 01 February 2019. Section 97 of the Act requires LAPs to be reviewed using the special consultative procedure no later than 6 years after it came into force.
- 6 The purpose of a LAP is to allow the territorial authority to have a policy relating to the sale, supply or consumption of alcohol within its district, or to two or all of those matters.
- 7 The Act also specifies what may be in a LAP. Section 77 is reproduced here:
“Section 77 – Contents of Policies

- (1) *A local alcohol policy may include policies on any or all of the following matters relating to licensing (and no others):*
 - (a) *location of licensed premises by reference to broad areas;*
 - (b) *location of licensed premises by reference to proximity to premises of a particular kind or kinds;*
 - (c) *location of licensed premises by reference to proximity to facilities of a particular kind or kinds;*
 - (d) *whether further licences (or licences of a particular kind or kinds) should be issued for premises in the district concerned, or any stated part of the district;*
 - (e) *maximum trading hours;*
 - (f) *the issue of licences, or licences of a particular kind or kinds, subject to discretionary conditions;*
 - (g) *one-way door restrictions.*
- (2) *Paragraphs (a) to (d) of subsection (1) do not apply to special licences, or premises for which a special licence is held or has been applied for.*
- (3) *A local alcohol policy must not include policies on any matter not relating to licensing.”*

8 In developing the policy, one needs to consider the object of the Act (section 4) which is that the sale, supply, and consumption of alcohol should be undertaken safely and responsibly and that the harm caused by the excessive or inappropriate consumption of alcohol should be minimised. Harm is defined “*as any crime, damage, death, disease, disorderly behaviour, illness, or injury, directly or indirectly caused, or directly or indirectly contributed to, by the excessive or inappropriate consumption of alcohol.*” It also includes any harm to society generally or the community.

COMMUNITY ENGAGEMENT

- 9 Dunedin’s LAP took effect on 1 February 2019. The review of the policy is required to be completed within six years.
- 10 Initial engagement was carried out with Safe and Well Ōtepoti, a group working on the minimisation of harm from alcohol and other drugs. The group gave some feedback at the time gave direction for the draft LAP that was put to Council. Members of Safe and Well Ōtepoti have made submissions and will present at the hearings.
- 11 The draft LAP was put out for public consultation between 14 October and 14 November 2024. At the end of the period, 85 submissions had been received and 20 submitters indicated a wish to be heard at the submissions’ hearings.

RESULTS OF CONSULTATION

- 12 The majority of submissions came in from individuals, and representatives from 14 clubs and businesses also made submissions. The three regulatory agencies described in the Act, the Police, Medical Officer of Health, and Licensing Inspector, all made submissions.

NZ Police

- 13 The points made in the NZ Police submission include:

- The Dunedin CBD is the primary area for alcohol-related calls for service.
- They are proposing a reduction in the trading hours of licensed premises, but with the retention of the one-way door system, which they believe will lead to a reduction in harm.
- They recommended the trading hours for hotels, taverns/pubs, nightclubs in Dunedin's CBD be 9.00 am to 1.30 am with the one-way door system applying from 1.00 am.
- They recommended the trading hours for cafes and restaurants should be 9.00 am to 1.00 am.
- 'Entertainment' venues should be treated the same as other on-licence premises.
- Police believe the following discretionary conditions should be included on on-licences in this area:
 - Security employed must be certified security personnel and wear a high visibility vest or jacket.
 - Staff training and records of incidents must be kept current and available for viewing by the regulatory agencies at all times.
 - A queue management plan must be submitted with applications and a copy displayed beside the premises' licence.
 - CCTV should be installed to cover all publicly accessible areas within a premises and the area immediately in front of a premises. The data from the cameras should be retained for 30 days and be made available immediately at the request of Police.
 - On-licence premises be banned from selling drinks that lead to rapid intoxication after 12 am.
 - Maximum trading hours for off-licence premises should be 9.00 am to 9.00 pm.
 - That there is a prohibition on the sale of alcohol in glass containers 500ml or less in volume from premises within a 1200m radius of the University of Otago (defined as 362 Leith Street).
 - That there is a condition on off-licences that there shall be no single serve sales at or less than \$6.00 per unit. This value should be adjusted for inflation at the time of the licence renewal.
 - Police would like the definition of a large-scale event to be defined in the LAP as 'anticipated patronage of more than 400 people'. Applications for such events must include an Event Management Plan and an AOD (Alcohol and Other Drug) Management Plan.
 - High risk, large special licence events to include a licensed drug checking service in the AOD Management Plan.

Medical Officer of Health

- 14 The Medical Officer of Health comments that the World Health Organisation's polices have been proven to reduce alcohol-related harm. These are : Raising the price of alcohol to make it less affordable; Strengthening restrictions on availability; Limiting alcohol advertising and promotion.
- 15 Other points made in their submission include:
- Support for the later opening of on-licence premises.

- Recommend on-licensed premises (taverns, nightclubs, adult entertainment venues and licensed restaurants) in the CBD to cease trading at 1.30 am. Premises in or adjacent to residential areas should be restricted to 12.00 midnight.
- An incident register to be kept in all on-licence premises.
- The monitoring of outdoor areas of on-licence premises trading beyond midnight.
- All new on-licence applications to be accompanied by a Social impact Assessment report.
- Data from the Emergency Department show high presentation numbers from other high deprivation areas, not just the proposed moratorium area in North Dunedin. They suggest the moratorium areas should relate to the high deprivation areas.
- Suggests there should be no ability to establish new off-licence venues with 400m of an existing venue.
- Recommends the maximum trading hours for off-licence premises be 9.00 am to 7.00 pm.
- The Medical Officer of Health supports the Police proposal to restrict sales in glass containers and the minimum unit price.
- Special Licences: recommends the maximum number of drinks per serve at large events be two standard drinks.
- Recommends that special licence events do not go beyond 1.00 am and that the recommended duration of an event not to exceed 6 hours.

Licensing Inspector

- 16 The Licensing Inspector supports the general direction of the proposed LAP. Points made in their submission include:
- Supports the earlier closing of off-licence premises and suggests the opening time should be 9.00 am instead of the current 7.00 am.
 - Agrees with the external advertising and promotions but suggests it includes prohibiting advertising and promotions being visible from the exterior of the premises.
 - Supports the prohibition of alcohol sales in glass containers 500ml or less.
 - Supports the requirement for staff training records and an up-to-date incident log to be kept on the premises and available for inspection by the regulatory agencies if/when required.
 - Recommends a prohibition of single sales of beer (excluding craft beer) and ready-to-drink (RTD) in 500ml containers or less, at a strength greater than 5% ABV (alcohol by volume) from all off-licence premises.
 - Supports the Medical Officer of Health recommendations regarding numbers of drinks served per sale at special events and the requirement for Alcohol and event Management Plans for large-scale events.
 - Recommends all off-licence premises, except those endorsed as 'remote sellers', be prohibited from delivering alcohol from their premises outside their licence trading hours.
- 17 The following summarises the responses to the statements made in the questionnaire from the remaining 82 submissions received.

General Direction of the draft LAP

18 The submission form asked: *“Overall, do you agree with the general direction of the Dunedin draft Local Alcohol Policy?”*

Options	Number	Percentage
Yes	48	56.5%
No	35	41.2%
No response	2	2.3%
Total	85	100%

19 The respondents were not asked why they had responded in the way they did.

Moratorium on new off-licences in an area of North Dunedin

20 The submission form asked: *“Do you agree that there should be no more new off-licence premises in the area between Moray Place and the Gardens Shopping Centre?”*

Options	Number	Percentage
Yes	39	45.9%
No	30	35.3%
No response	16	18.8%
Total	85	100%

21 The reasons cited by those in favour of the moratorium include:

- Believe there are more than enough off licence premises to be able to purchase alcohol.
- Young people and students in North Dunedin are a vulnerable community with a history of excess alcohol and drug use. Limiting off-licences targeting this population will reduce risk.
- This will reduce the extreme levels of alcohol related harm we currently see in the city.
- Too many in one area can lead to over buying and over consuming.
- The density of off-licences in the North End needs to be balanced with the safety of our vulnerable student population.

22 The reasons cited by those opposed to the restriction include:

- A full ban on new off-licence premises is excessive and could be harmful, but making the process more restrictive would be fine.
- Dunedin has lost its vibrant nightlife and it is important to support and encourage the growth of this again rather than stopping it.
- This does not achieve the object of the Act. A sinking cap should be implemented and there should be an exception to explore and establish community trust owned off-licensed premises where the profit from sales is directed to harm reduction.
- This is a strong restriction, especially so because it seems to be trying to solve a problem that doesn't appear to exist: no known new bottle shops in the area and no known plans for new outlets.

Off-licence trading hours

23 The submission form asked : *“Do you agree with the proposal to change the closing time of off-licence premises to 9pm (currently 10pm)?”*

Options	Number	Percentage
Yes	37	43.5%
No	33	38.8%
No response	15	17.7%
Total	85	100%

24 The comments from those in favour of the proposal included:

- 9pm is plenty late enough to be buying alcohol off-licence. If people want to drink we want to encourage them into on-licence venues as they are safer and contribute to Dunedin’s nightlife scene.
- I think the opening time needs to be put forward to 8.30 am.
- Reducing hours of availability can be expected to reduce consumption and related harm. Late night trading increases the likelihood of purchasing more alcohol when decisions are already affected by intoxication.
- Agree with the proposed limits on end of day trading hours but there should be changes at the beginning of off-licence trading.
- This will reduce harm – possibly worth limiting to the moratorium area. Seems harsh to have the entirety of the DCC area subjected to this when the problem is concentrated.

25 Comments from those against the proposal include:

- People are still going to drink after 9pm so why change it?
- Changing to 9pm would be punitive for people who do not work regular business hours, who have extracurricular activities and responsibilities, and those that prefer to shop late at night. Some people choose to shop later at night because they have sensory issues and prefer to shop at a more quiet and convenient time. Those that are problem drinkers and binge drinking are more likely to have planned in advance and would have started earlier in the night.
- I don’t think it will make a significant difference.
- 9pm is not early enough. A closing time between 7pm and 8pm would meaningfully work to minimise alcohol-related harm from secondary purchases while intoxicated. Also, 7am is far too early and this caused harm particularly among the 65+ aged communities.
- The change will have a limited impact on student drinking culture. A survey of students indicated many purchase their alcohol hours/days in advance of consuming it. Some students expressed concerns that, because some finish work late, they fear some will turn to substances other than alcohol or they would simply begin drinking earlier.
- This change may have a meaningful effect, however, there is the prospect that people, knowing the off-licence will close, will stock up too far in advance and then drink too much.

- The reduction of alcohol harm is not going to be affected by a 1 hour reduction in off-licence trading.
- An earlier closing time may reduce alcohol harm in some situations, but it needs to be balanced with reasonable lawful access to purchase liquor.

External advertising and promotion of alcohol

26 The submission form asked: *“Do you agree with the proposal to restrict alcohol advertising and promotion on the exterior of off-licence premises?”*

Options	Number	Percentage
Yes	42	49.4%
No	29	34.1%
No response	14	16.5%
Total	85	100%

27 Comments from those in favour of the proposal include:

- Alcohol advertising and promotion should be aligned with the same restrictions as those for tobacco and vaping products, to minimise appeal to our young people.
- Yes, take away the temptation.
- Reducing alcohol-related advertising will protect young people and non-consumers.
- Alcohol advertising affects people’s desire for alcohol. It influences children’s ideas about alcohol and normalises alcohol in their daily lives.
- Should only be advertised in alcohol sections of shops or inside off-licence shops.
- Should also be specified no-advertising periods during times of high alcohol harm, particularly during February/March annually.
- All 18+ promotion and advertising can be done within the 18+ spaces. Adults know where to find alcohol and children don’t need to be encouraged by ‘cool’ labels, etc.

28 Those against the proposal made the following comments:

- There is advertising for everything, and this is how they make money. Is there going to be ban on wearing Speights t-shirts?
- Very restrictive for off-licence venues that only sell alcohol. Liquor stores should be able to advertise their products.
- Current legislative standards are sufficient.

29 The submission form asked: *“Do you agree with retaining the current closing times for on-licence premises but moving the opening time to 9am (currently 8am)?”*

Options	Number	Percentage
Yes	33	38.8%
No	36	42.4%
No response	16	18.8%
Total	85	100%

30 Those in favour of the proposal made the following comments:

- Support the change but it makes little sense to limit availability in the highly regulated on-licence premises while maintaining off-licence sales from 7am. The proposal, without changing the off-licence trading hours, has the potential to increase alcohol-related harm for some members of the community.
- 10am would be better.
- We need to look at our collective drinking culture when we expect or believe we need to have alcohol available to consume with breakfast.

31 Those who commented against the proposal include the following:

- Restricts business for the worse.
- The proposed change would disproportionately affect daytime licensed café, restricting their ability to serve breakfast cocktails. Examples of these situations include people celebrating special occasions or healthcare workers concluding night shifts.
- Don't think it will make a significant difference.
- Agree with the 9am opening but the current one-way door and 3am closing is not working. A staggered closing time should be imposed with the good operators being allowed to trade to 4am. People are still queuing to get inside premises at 2.30am and causing nuisance for security staff. People all leaving at 3am causes issues for taxis, food options, etc.
- Is there an issue with drunkenness in the early morning? Why should one be prevented from having a glass of breakfast wine?
- Closing times for suburban taverns too early, particularly on Thursdays, Fridays, and Saturdays.
- This would cut out an entire clientele base. Providing a safe to consume is actively reducing harm. Extension of on-licence trading hours is needed to help with the reduction of violence which is resulting from the 2.30 am one-way door; this has actively increased alcohol-related risk of harm and aggravation.
- Would like to see on-licence hours extended to 4am and removal of the one-way door. There is little stand-alone evidence one-way doors are effective in reducing alcohol-related harm but they do hurt the night-time economy.
- While the proposal will not affect many bars, it allows flexibility if there is an event on and they don't need to go through the special licence process. Closing residential bars at 11pm Sunday to Thursday, and 12am Friday and Saturday, has a serious effect on those businesses but does not reduce alcohol harm.

Club management

32 The submission form asked: *“Do you agree that some clubs should have certified managers present after 5pm or when patron numbers reach 50 people?”*

Options	Number	Percentage
Yes	41	48.2%
No	26	30.6%
No response	18	21.2%
Total	85	100%

33 Comments in favour of this proposal include:

- More control needed in clubs, especially sports clubs.
- Managers have a responsibility to look after the safety of guests.
- It is difficult to argue that clubs should be subject to less stringent supervision than bars in the evening and/or when large groups are present.
- Should be a bar manager on the premises at all times when open.
- Seems reasonable considering the expectations on other on-licence venues.

34 Comments from those not in favour of the proposal include:

- 5pm seems a bit early to enforce this as most ‘clubs’ are not active or reaching those numbers until much later at night.
- May be too expensive for clubs run by volunteers.
- Staff used are rostered, unpaid volunteers and the club has a limited season. Better to define a busy period as at least 150 people and that a certified manager to be required for functions only when it is known that at least 150 people will be present.
- Should look at always having a duty manager on site if alcohol is being provided.
- Look at a reduced fee to reflect the infrequency of trade and promote an uptake of people seeking manager’s certificate.
- It is an unreasonable burden for volunteer organisations. It would require clubs to get more certified managers to cover when the one is away.
- Unnecessary to add to the LAP: the DLC can already impose it if it was considered useful.
- Suggests 9pm when the social drinking begins.

Entertainment venues

35 The submission form asked: *“Do you agree that Dunedin’s ‘entertainment’ venue should close at the same time as other on-licence premises, that is, 3am?”*

Options	Number	Percentage
Yes	32	37.7%
No	34	40.0%
No response	19	22.3%

Total	85	100%
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36 Comments from those in favour of the proposal include:

- Late in the evening and early hours of the morning are peak times for alcohol-related injury harm. There is evidence that people drinking outside the home in these hours are more likely to be heavy drinker. The introduction of the statutory 4am close in 2012 saw a reduction in weekend assaults, especially amongst young adults.
- The Octagon on any celebratory day/night is a very dangerous place with a lot of heavily intoxicated people.
- Entertainment ends 12 – 1am, then the drinking starts.
- Venues should be able to trade to 4am on their own merits.
- It would be beneficial to maintain consistency across on-licence premises.

37 Comments from those against the proposal include:

- Entertainment licences should extend to 4am with a 3.30am one-way door. If late night bars that open from 5pm could go to 4am under less restrictions it would reduce alcohol-related harm.
- Entertainment venues’ main income is not from alcohol. The current 2.30am one-way door with a forced 4am closing increase hostility and aggression to staff.
- Consistency seems a bad reason for the change. There are different classes of venue for a reason; namely that they are regulated differently.
- They provide a safe environment for young people to be drinking.
- Limits opportunities for new entertainment venues.
- Entertainment venues are most clientele’s last stop for the night when they are slowing down. These places need to open later and not shut at the same time. They don’t survive on drinks sales. They rely on payment for admission and other services.
- Dunedin should increase on-licence premises hours to maximise the time people can spend at safer and more supervised on-licence premises.
- A terrible idea. How does the city and police plan to manage all patrons being ejected from premises at the same time. Studies overseas have shown the same closing time for premises in a central city to be unmanageable with spikes in violent behaviour and intoxication related incidents.

General comments

38 General comments made in submissions include:

- There were also general comments made that recommended other matters not covered in the questionnaire. They include:
- Dunedin should have the courage to restrict off-licence trading to 9am to 9pm. This was recommended a decade ago and has been introduced in Auckland.
- Further restrictions from the DCC are choking the locals’ freedoms.

- The introduction of a prohibition of selling alcohol in glass containers 500ml or less in the proposed moratorium area. Broken glass in that area is a health and safety problem and affects the amenity and good order of North Dunedin.
- One-way doors system should be left to the discretion of the licensee.

OPTIONS

- 39 There are no options for this report as its purpose is to present a summary of submissions on the draft LAP.

NEXT STEPS

- 40 Panel to deliberate on written and verbal submissions and prepare a recommendation report for Council to consider.
- 41 Staff to make changes to draft LAP based on the Panels deliberations.

Signatories

Author:	Kevin Mechen - Alcohol, Psychoactive Substances and Gambling Advisor
Authoriser:	Clare Sullivan - Manager Governance

Attachments

There are no attachments for this report.

SUMMARY OF CONSIDERATIONS

Fit with purpose of Local Government

This decision enables democratic local decision making and action by, and on behalf of communities.
This decision promotes the social well-being of communities in the present and for the future.
This decision promotes the cultural well-being of communities in the present and for the future.

Fit with strategic framework

	Contributes	Detracts	Not applicable
Social Wellbeing Strategy	✓	<input type="checkbox"/>	<input type="checkbox"/>
Economic Development Strategy	<input type="checkbox"/>	<input type="checkbox"/>	✓
Environment Strategy	<input type="checkbox"/>	<input type="checkbox"/>	✓
Arts and Culture Strategy	<input type="checkbox"/>	<input type="checkbox"/>	✓
3 Waters Strategy	<input type="checkbox"/>	<input type="checkbox"/>	✓
Future Development Strategy	✓	<input type="checkbox"/>	<input type="checkbox"/>
Integrated Transport Strategy	<input type="checkbox"/>	<input type="checkbox"/>	✓
Parks and Recreation Strategy	<input type="checkbox"/>	<input type="checkbox"/>	✓
Other strategic projects/policies/plans	<input type="checkbox"/>	<input type="checkbox"/>	✓

This draft LAP aligns with the following strategic priorities: Social Wellbeing’s priorities of vibrant and cohesive communities, and safe and healthy people; Economic Development priority of a compelling destination; and Future Development priorities of liveable city, and vibrant and exciting city.

Māori Impact Statement

Iwi were consulted with during the development of the draft LAP, and information sent regarding the special consultative process.

Sustainability

There are no specific implications for sustainability.

Zero carbon

There are no known implications for zero carbon.

LTP/Annual Plan / Financial Strategy /Infrastructure Strategy

There are no known implications for LTP/Annual plan/Financial Strategy/Infrastructure Strategy.

Financial considerations

There are no known financial implications.

Significance

This summary report is considered low in terms of the Council’s Significance and Engagement Policy.

SUMMARY OF CONSIDERATIONS

Engagement – external

Various organisations were consulted with during the development of the draft LAP, including: Police, Medical Officer of Health/Health NZ Southern, St John Ambulance, University of Otago, Students' Associations, University Proctor, ADL NZ, ACC, Hospitality NZ, Students for Sensible Drug Policy Ōtepoti Dunedin, Know Your Stuff, and Mirror Services.

The special consultative procedure was used to consult on this policy review, as required by the Sale and Supply of Alcohol Act

Engagement - internal

The Licensing Inspectors and DCC in-house legal counsel were consulted during the drafting of the LAP.

Risks: Legal / Health and Safety etc.

There are no known risks. If the LAP is not renewed, the default position stated in the Sale and Supply of Alcohol Act 2012 would apply, and the District Licensing Committee still has the ability to impose conditions on licences on a case-by-case basis after considering the information presented.

Conflict of Interest

There are no known conflicts of interest.

Community Boards

Community Boards were able to submit as part of the consultation.

SPEAKING SCHEDULE

Department: Civic

EXECUTIVE SUMMARY

- 1 The purpose of this report is to provide the Hearings Committee with a schedule of submitters wishing to present their views, in person, on the Draft Local Alcohol Policy.
- 2 The speaking schedule is attached (Attachment A). Please note as there may be changes to the schedule, an updated one will be supplied at the meeting.
- 3 As this is an administrative report the Summary of Considerations is not required.

RECOMMENDATIONS

That the Committee:

- a) **Notes** the speaking schedule.

Signatories

Author:	Lynne Adamson - Governance Support Officer
Authoriser:	Clare Sullivan - Manager Governance

Attachments

	Title	Page
A	Speaking schedule	Error! Book mark not define d.

LOCAL ALCOHOL POLICY HEARING 27 NOVEMBER 2024 as at 22 November 2024		
TIME	SUBMISSION NUMBER	NAME
9.40 am	1083117	Sgt Jones, NZ Police
10.00 am	1082989	Dr Michael Butchard, Medical Officer of Health - Te Whatu Ora
10.10 am		
10.20 am	1082491	Tanya Morrison, Chief Licensing Inspector
10.30 am		
10.35 am	1082997	Cam Burrow, Dunedin Rugby Club
10.45 am	1080711	Bede Crestani via Zoom Audio Visual Link
10.55 am - 11.20 am		BREAK
11.20 am	1081474	Paul Radich, General Distributors Limited via Zoom Audio Visual Link
11.30 am	1082995	Andrew Galloway, Alcohol Healthwatch via Zoom Audio Visual Link
11.40 am	1082989	Dr Carol Atmore, WellSouth Primary Health Network
11.50 am		
12.00 noon	1083167	Brendan Elliot, Hospitality New Zealand via Zoom Audio Visual Link
12.10 pm	1082685	Geoff Simons, Alhambra-Union RFC
12.20 pm	1083183	Rachel Pongi, Community and Whanau Wellbeing Team, Te Whatu Ora
12.30 pm	1083181	Ana Ika, the Salvation Army - Bryce Hay via Zoom Audio Visual Link
12.40 pm - 1.20 pm		LUNCH
1.20 pm	1082357	Liam White, Otago University Students' Association
1.30 pm	1082914	Cathy Maaka, Mosgiel Tavern
1.40 pm	1076999	Sonja Mitchell via Zoom Audio Visual Link
1.50 pm		
2.00 pm	1081978	John Devereux, Carousel Bar
2.10 pm	1082915	Jamie Huges, Liquid Assets Events and Toast Bar
2.20 pm	1082878	Tabitha Cooper, Stiletto's Review Bar
2.30 pm		
2.40 pm	1083111	Kimberley Cousins, University of Otago and resident
2.50 pm	1079223	Samuel White
3.00 pm	1082999	Scott Stucki, Students for Sensible Drug Policy