
REPORT

TUESDAY 6 AUGUST 2013

9.15AM

**Committee Room One
Ground Floor, Council Offices
101 Wakefield St
Wellington**

PLEASE INSERT INTO YOUR AGENDA

Report 1 **2**
*Oral Hearings – Draft Alcohol Management Strategy and Draft Local
Alcohol Policy*

**ORAL HEARINGS – DRAFT LOCAL ALCOHOL POLICY
– TUESDAY 6 AUGUST 2013**

Time	Name	Organisation	Submission Number	Page
9.25am	Mark Holden	Individual	1853	4
9.30am	Maria van der Meel	The City is Ours	12	10
9.40am	Dominic Kelly	Hashigo Zake	526	15
9.50am	Mahara Okeroa	Port Nicholson Block Settlement Trust	4	18
10.00am	Michael Mckee	Individual	6	21
10.05am	Marco Morales	Individual	469	24
10.10am	Titapu Pairama-Hearington	Individual	8	25
10. 20am	10 Minute Buffer			
10 .30am	Morning Tea			
10.50am				
11.00am				
11.10am	Tony Loveday	Bruhaus	7	31
11.20am				
11.30am				
11.40am	10 Minute Buffer			
11.50am				
12.00pm				
12.10pm	Damien Jones	Meow	273	37
12.20pm	Rainsforth Dix	Victoria University	315	40
12.30pm	Lunch			

1.15pm	Catherine Milnes	Foodstuffs	522	46
1.30pm				
1.40pm	Bernie Bennett	Individual	255	82
1:45pm	Mark Unsworth	The Mill	1876	90
1.55pm	Mark Unsworth	Independent Liquor Ltd	218	96
2.05pm	10 Minute Buffer			
2.15pm	Palwinder Singh	Big Barrel	317	101
2.20pm	Ben Arnold	Individual	529	109
2.25pm				
2.30pm				
2.40pm				
2.50pm	10 Minute Buffer			
3.00pm	Afternoon Tea			

a-25am 6/8



Wellington City Council - Draft Local Alcohol Policy Submission

Your submission on the draft Policy is needed by the Council by 5pm on 2 August 2013

INTRODUCTION

The Sale and Supply of Alcohol Act 2012 allows Councils to introduce Local Alcohol Policies which can impact on the trading hours, location, density and operation of licensed premises. Submissions are now invited on the Wellington City Council's draft Local Alcohol Policy.

This is an important issue for the Wellington Hospitality Industry which is a major contributor to the region's economy, bringing in \$700 million annually and helping create the 'Coolest Little Capital' vibe. A Research NZ survey conducted in Wellington in May 2013 found that 87% of respondents agreed with the current hours the city is open. 90% agreed that the hospitality and entertainment scene is dynamic, vibrant and helps define the city's character.

In Wellington the late night economy is significant with \$41 million spent annually in the city on hospitality between the hours of 4am and 7am. This equates to an estimated \$11 million of wages paid to hospitality workers during those hours.

The Research NZ survey found that 72% of respondents drank before coming into town. We know that 75 % of all alcohol sold in NZ is sold off-premise (supermarkets and bottle stores) and only 25% of all alcohol in NZ is sold on-premise (bars, restaurants, night clubs, hotels). Police and Health authorities agree that the major contributor to alcohol related harm is the pre-loading of alcohol before people come out. Police also agree that the vast majority of bars in Wellington are well run and that the issues that do occur are generally related to people attracted to the area and not to the bars themselves.

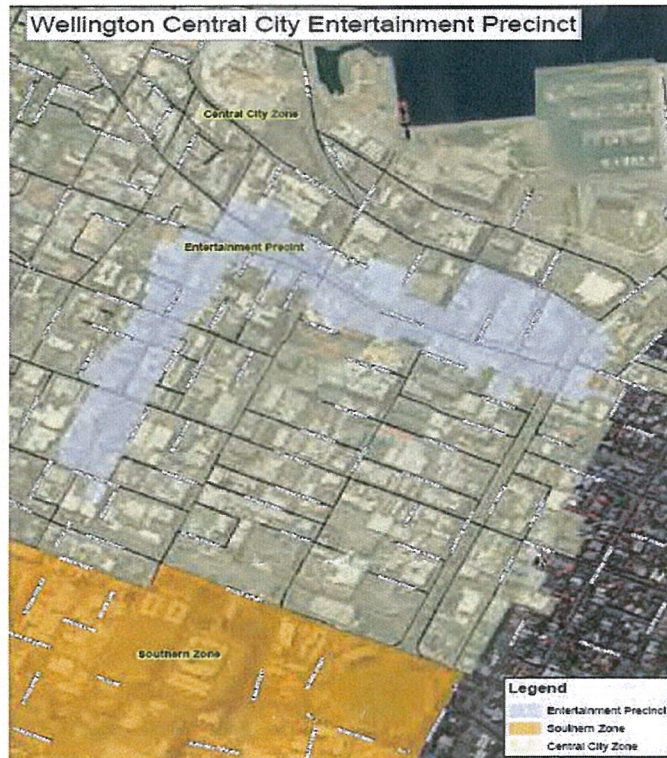
We believe the safest place for people to consume alcohol and be entertained is on licensed premises, which have strict host responsibilities, trained staff and are heavily regulated and monitored. Imposing greater restrictions on the hospitality industry is unlikely to change the issue of personal responsibility. In fact it may drive consumption increasingly to uncontrolled environments.

The following short survey seeks your opinions on a number of proposals in the draft Local Alcohol Policy and your response will be submitted in your name to the Council as a formal submission on that policy.

QUESTIONS

Under the zones proposed in the draft policy there will be an Entertainment Precinct – encompassing Courtenay Place and Cuba Street from Kent Terrace up to Abel Smith Street, (see map below)

- Bars in this precinct can trade to 3am (or to 5am for 'best practice' premises)
- Bars elsewhere in the City CBD can trade to 2am (or to 3am for 'best practice' premises)



Question 1: Do you think that the Council should designate a specific Entertainment Precinct with later hours than the rest of the City CBD?

YES

NO

Question 2: Do you think that a designated Entertainment Precinct with later hours than the rest of the City CBD:

a. Is anti-competitive?

YES

NO

b. Will limit the evolution of the city's growth by limiting later trading to one designated area?

YES

NO

c. Will result in higher rents and increased costs for the bar / cafes / restaurants in the Entertainment Precinct?

YES

NO

Comments:

The proposed trading hours in the Entertainment Precinct for On-licenses (bars, nightclubs restaurants) are 7am–3am (7am- 5am for best-practice premises).

Question 3: What do you think the latest trading hour in the Entertainment Precinct should be (if one is created)?

Entertainment Precinct preferred maximum trading hour (please tick one only)

3am	4am	5am	6am	Other (please comment)
			<input checked="" type="checkbox"/>	

Comments:

Outside of the Entertainment Precinct in the City CBD the proposed trading hours for On-licenses (bars, nightclubs, restaurants) are 7am–2am (7am-3am for best-practice premises).

Question 4: What do you think the latest trading hour in the City CBD should be?

City CBD preferred maximum trading hour (please tick one only)

2am	3am	4am	5am	Other (please comment)
		<input checked="" type="checkbox"/>		

Comments:

In Suburban centres the proposed trading hours for On-licenses (bars, nightclubs, restaurants) are 7am–midnight.

Question 5: What do you think the maximum trading hour in Suburban Centres should be?

Suburban centres preferred maximum trading hour (please tick one only)

Midnight	1am	2am	3am	Other (please comment)
			<input checked="" type="checkbox"/>	

Comments:

The policy proposes a '**wind down hour**' protocol for premises open after 2am, whereby the lighting is turned up, the music turned down, and during this last hour the premises is open you could not purchase a drink (this in effect results in a closing time of an hour earlier than the licensed hour for the premises).

Question 6: Do you think this should be compulsory for all premises that are open after 2am?

YES

NO

Comments:

Question 7: The Council are proposing the following conditions could be imposed on a licensed premise. Do you agree? *Please circle Yes or No for each proposed condition.*

a. A 'one way door' after a set time whereby no one else is allowed into the premises but those inside may remain	YES	<input checked="" type="radio"/> NO
b. A limit on the number of drinks sold in any one transaction after a certain time	YES	<input checked="" type="radio"/> NO
c. A minimum number of security staff set by the Council	<input checked="" type="radio"/> YES	NO
d. Compulsory dedicated staff to manage all queues	<input checked="" type="radio"/> YES	NO
e. A minimum number of Duty Managers	<input checked="" type="radio"/> YES	NO
f. Premises to pick up litter within a certain area	<input checked="" type="radio"/> YES	NO
g. Security staff to wear High Viz Vests	YES	<input checked="" type="radio"/> NO
h. No glass drinking vessels permitted in any outside area past a certain time	YES	<input checked="" type="radio"/> NO
i. All outside temporary furniture to be removed after a certain time	<input checked="" type="radio"/> YES	NO
j. No loudspeaker, amplifier, or other audio equipment outside the premises	YES	<input checked="" type="radio"/> NO
k. Compulsory CCTV	YES	<input checked="" type="radio"/> NO

Comments:

Question 8: Do you think the safety and vibrancy of the City Centre would be enhanced by the following? *Please circle Yes or No for each suggestion.*

a. Better public transport options at night	<input checked="" type="radio"/> YES	NO
b. More lighting in the CBD	YES	<input checked="" type="radio"/> NO
c. More CCTV cameras in public spaces	YES	<input checked="" type="radio"/> NO
d. More street entertainment	<input checked="" type="radio"/> YES	NO
e. More food trucks late at night	<input checked="" type="radio"/> YES	NO
f. A chill out zone with water, food , transport information , medical assistance	<input checked="" type="radio"/> YES	NO
g. More enforcement of liquor bans	YES	<input checked="" type="radio"/> NO
h. An instant fine for being intoxicated and/or being a nuisance in a public place	YES	<input checked="" type="radio"/> NO
i. A trespass from the city centre for 90 days if caught intoxicated being a nuisance	<input checked="" type="radio"/> YES	NO
j. Greater Police presence	<input checked="" type="radio"/> YES	NO

Comments:

The proposed trading hours for Off-premises (supermarkets and bottle stores) are 7am-9pm.

Question 9: What do you think the maximum trading hours for Off-premises should be?

Maximum trading hours for Off-premises				
9pm	10pm	11pm	Midnight	Other (please comment)

Comments:

Question 10: Do you think that supermarkets should have the same trading hours as other Off-premise venues such as bottle stores?

YES NO

Comments:

Question 11: Overall, do you agree with the direction of the draft Local Alcohol Policy ?

Please tick one only.

Strongly agree	Agree	Disagree	Strongly disagree	Don't know

Please give reasons:

Everything is fine enough.
No need to change something
that isn't broken.
Good that Wellington is
vibrant.

Question 12: Do you have any other comments either about the content of the draft Local Alcohol Policy or about other matters you want included in the policy?

We, as a city and country, drink less than we ever have.
Nanny stateism

Please select one:

- I do not wish to discuss my submission at the hearings but give permission for Wellington Hospitality New Zealand to discuss my main points
- I wish to discuss the main points of my submission at a hearing.

Your name: Mark Holden

Contact address: Flat 27, 3 Aro St.

Phone Numbers: 0272879627

Email: sina.sdad@gmail.com

Signature: M. Holden Date: 2/7/13

THE COUNCIL WILL NOT ACCEPT ANONYMOUS SUBMISSIONS

Only a person or agency that has made a submission on a draft LAP will be able to appeal against any element of the resulting provisional LAP.

Privacy statement: All submissions (including name and contact details) are published and made available to elected members of the Council and the public. Personal information supplied will be used for the administration and reporting back to elected members of the Council and the public as part of the consultation process. All information collected will be held by Wellington City Council, 101 Wakefield Street, Wellington. Submitters have the right to access and correct personal information.

Return to Freepost 2199, The Right Mix, Wellington City Council, PO Box 2199, Wellington 6011.

Jaime Dyhrberg

From: on behalf of BUS: Alcohol Strategy
Subject: FW: The Right Mix - Confirmation

From: Wellington City Council [mailto:webcentre@wcc.govt.nz]
Sent: Tuesday, July 02, 2013 1:59 PM
To: BUS: Alcohol Strategy
Subject: The Right Mix - Confirmation

The following details have been submitted from the Draft Alcohol Management Strategy and the Draft Local Alcohol Policy consultation form on the Wellington.govt.nz website:

PAGE 1 QUESTIONS

Submitter details:

First Name: Maria
Last Name: van der Meel
Street Address: 2/20 Tretn Street
Suburb: Island Bay
City: Wellington
Phone: 3834993
Email: thecityisours1@hotmail.com

I would like to make an oral submission. No Phone number:

I am giving this feedback: on behalf of an organisation Organisation name: The City is Ours Inc.

PAGE 2 QUESTIONS

Under the proposed zone framework, late-night trading activity of bars and entertainment venues (after 2am or until 3am at the latest) will be moved into a specific Entertainment Precinct in the city to better manage the harm associated with trading at this time.

Strongly agree

Comments:

Risk-based management framework

Strongly agree

Comments:

Entertainment Precinct maximum trading-hour restrictions for on-licensed

venues Strongly agree
Comments:

Central Area maximum trading-hour restrictions for on-licensed venues
Strongly agree
Comments:

Suburban Centre maximum trading-hour restrictions for on-licensed venues
Strongly agree
Comments:

The proposed maximum trading-hour restrictions of 7am - 9pm for off-licensed venues (supermarkets, grocery stores, bottle stores) Strongly agree
Comments:

Treating all off-licence venues the same Strongly agree
Comments:

PAGE 3 QUESTIONS

Council focus on applications for youth-focussed occasions or events Strongly agree
Comments:

The proposed circumstances that would trigger a District Licensing Committee hearing for dealing with issues of density and proximity of licensed premises
Strongly agree
Comments:

The proposed discretionary conditions that could be applied to a licence.
Strongly agree
Comments:

Overall, do you agree with the direction of the draft Local Alcohol Policy?
Strongly agree
Your comments (be specific): na

What are the best aspects of the draft Local Alcohol Policy?
na

What aspects of the draft Local Alcohol Policy do you think need to be changed?
na

Do you have any other comments either about the content of the draft Local Alcohol Policy or about other matters you want included in the policy?
Special Licenses need to increased from \$ 65 to \$ 130 to discourage schools

selling alcohol as fundraisers in the school play-ground

PAGE 4 QUESTIONS

The proposed goals in the draft Alcohol Management Strategy are achievable.

Agree

Comments:

The initiatives proposed in the Implementation Plan (attached to the draft strategy) will deliver on the strategic goals.

Don't know

Comments:

The initiatives proposed in the draft strategy will contribute to communities having a healthier relationship with alcohol.

Don't know

Comments:

Jaime Dyhrberg

From: Maria van der Meel [thecityisours1@hotmail.com]
Sent: Tuesday, 2 July 2013 11:07 p.m.
To: Jaime Dyhrberg
Subject: FW: Draft alcohol policy documents released for your comment

Sorry forgot to send the link 😊

From: thecityisours1@hotmail.com
To: jaime.dyhrberg@wcc.govt.nz
Subject: RE: Draft alcohol policy documents released for your comment
Date: Tue, 2 Jul 2013 11:01:00 +0000

Hi Jamie,

Special License

Thanks for the follow up; I did mine today and wondered whether I should do an oral as well?

I think you guys have done a fantastic job on the Draft and the rules are set to reward good behavior so bars can earn their status and open longer, if that's how I understand it to be correctly.

It is my sincere hope the DLA will be able to meet at least twice a year and take a pulse on how the policy is delivering on the outcomes, maybe a trial period could be a test before the DLA sets the rules in concrete.

Very little time was spent however on the **special license** and it is desirable in my opinion to address this more in depth while this license has caused some concern over the years. I reported this concern to Sir Geoffrey Palmer when he traveled New Zealand to take submissions from the public and here in Wellington.

I would ask the DLA to restructure the **special license** for reasons explained in the link below. The DLA can take responsibility and increase the **special license** fee from \$ 65 to \$ 130 as a deterrent for schools to sell alcohol in the playground during fairs for the purpose of fund raising.

<http://www.stuff.co.nz/national/education/2881156/Alcohol-sales-at-school-fairs-to-be-reviewed>

If you think you would like me to address the committee in person I am happy to come and speak to them.

The City is Ours
Maria van der Meel 04) 3834993 - 0273226311

From: Jaime.Dyhrberg@wcc.govt.nz
Date: Tue, 2 Jul 2013 15:32:33 +1200
Subject: Draft alcohol policy documents released for your comment
To:

Hi,

Thank you for your feedback on **The Right Mix?: The role of alcohol in Wellington** discussion document earlier in the year.

The Council considered your feedback alongside feedback from the hospitality and retail industry, Police, Medical Officer of Health, and other residents in developing the draft Alcohol Management Strategy and draft Local Alcohol Policy.

These draft documents were officially released for public consultation today. You can find out more here:

<http://wellington.govt.nz/have-your-say/public-input/public-inputs/consultations/open/the-right-mix>

We're keen to know what you think about the draft strategy and policy. Submissions close **5pm 2 August 2013**.



Kind regards,

Jaime

Jaime Dyhrberg

Service Development and Improvement Manager | Community Networks | Wellington City Council

P 04 803 8686 | M 021 227 8686

E jaime.dyhrberg@wcc.govt.nz | W Wellington.govt.nz |  | 



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To the Wellington City Council regarding its Draft Alcohol Policy.

Submitted by Dominic Kelly
Proprietor of Hashigo Zake, 25 Taranaki St.
Date August 2, 2013
Contact dominic@hashigozake.co.nz
(021) 052-6673.

1 Vibrancy

At a meeting of the Wellington City Council on June 13, 2013, at which interested parties lobbied the council over the content of the Draft Alcohol Policy, the word of the day was “vibrant”. Most, if not all, of the presenters and councillors used the word to describe the nightlife that Wellington has or aspires to have.

The words vibrant and vibrancy are used 15 times in the Draft Alcohol Policy. It even goes so far as to suggest that, at night, Wellington might have “pockets of vibrancy”.

However, in a document that begins with five pages of definitions, this pivotal word, that apparently encapsulates the qualities that are universally sought as an outcome of the policy, remains undefined.

Dictionary definitions concentrate on very physical qualities to do with rapid movement and pulsing that reflect the word’s common etymology with *vibrate*. If we understood vibrant to mean “noisy, busy and full of movement” then surely Wellington’s nightlife could be said to be quite vibrant already.

But when used as an attribute of a city or its nightlife, most people would assume a more metaphorical meaning for vibrant. Something that is metaphorically vibrant might have a metaphorical pulse – it has characteristics analogous to those of a person or people, such as personality, unpredictability and an ability to change. Vibrant might be taken to mean interesting, sophisticated, diverse and perhaps even eclectic and unpredictable. So in a city with a vibrant nightlife we might expect that a variety of tastes are catered for, that business owners are confident when taking creative risks with alternative types of venue and that what is on offer to consumers steadily changes and improves.

Whether Wellington’s nightlife meets that loose definition is highly debatable. To some degree it could be said to be true. But the dominance and homogeneity of the Courtenay Place entertainment district, the high rents charged and the control by big breweries of outlets there undermine any claim. There is a case for saying that Wellington’s nightlife is crying out for an injection of creativity, risk-taking and diversity before it can be said to be vibrant.



But there are hints in the Local Alcohol Policy that its author has a different meaning in mind. On page 16, in a list of “outcomes sought by the strategy” this is item two:

- **increased vibrancy:** an increase in late-night activity in the central city with less emphasis on alcohol consumption

So it seems that the author of this document considers that vibrancy is something that happens when the consumption of alcohol is somehow substituted.

The fact that the Council, representatives of the hospitality industry, police and others are agreeing with each other on the need for vibrancy without bothering to agree what it means is a problem. A stated goal of the local alcohol policy is undefined and means different things to different parties.

2 The Entertainment Precinct

The Draft Policy proposes that only businesses in certain portions of Central Wellington will be considered for later licences. At the moment Courtenay Place and, to a lesser extent, Cuba St are home to a large number of Wellington’s licensed premises. It wasn’t always this way. In fact this status has come to Courtenay Place quite recently. But because of their status at this moment in Wellington’s history they are to be ring fenced as the entertainment precinct forever.

As a consequence, anyone wanting to set up a bar with a late licence will have little choice but to look for a location in this precinct. One likely outcome is that property values and therefore rents will go up. As a result, would be proprietors will be extra cautious in their planning. They will copy business models and practices that appear to be successful, reducing the diversity in the character of businesses there. And they will look for support from the large breweries to offset costs and risks, leading them to enter into contracts that require them to sell a quota of those breweries’ products.

Furthermore, in the section entitled Density and Proximity the policy strongly suggests that applications for licences in those entertainment precincts will receive greater scrutiny. (“In all other cases, new or renewal applications for high-risk licensed premises deemed to be in close proximity (within 100 metres) to sensitive facilities or another high-risk premise, will be closely reviewed.”) In other words, anyone hoping to run a bar with a late licence *must* look for premises in the entertainment precinct and will then be subject to extra scrutiny *because* they are applying for a licence in that precinct.

If, as suggested, licences in the entertainment precinct are made harder to win, that vests even more power in the hands of proprietors of existing licensed businesses there, and more power again in the hands of their landlords.

Arguably Courtenay Place is already a ghetto of mega-bars designed to generate volume sales for the big breweries while thumbing their noses at the smokefree laws by uniformly turning their entrances smoking rooms. Turning the area into a designated entertainment precinct will complete the transformation.

So at a time when Courtenay Place has become notorious among many of Wellington’s residents, the Draft Alcohol Policy will deliberately inhibit the emergence of a much needed alternative.

3 Discretionary Conditions

The conditions that the DLC may impose on a licensee should be in the form of measurable outcomes, such as what time a bar must close and how long it takes for customers to vacate. But if and when the DLC starts to micromanage what goes on inside a business with respect to music, lighting and the way security staff are dressed, then it risks showing contempt for the business operators and their customers.

4 Public Notification and Participation

Hashigo Zake was one of a number of businesses affected in December 2009 when Bernard O'Shaughnessy made wholesale objections to any and all liquor licence applications that were notified in one newspaper on the same day. As well as making statements that were defamatory to all the applicants in his objection, he slowed, but didn't stop, all the applications in question. His objections were an entirely unreasonable misuse of the objection process and imposed costs in time and lost business on all affected.

At the time he also announced that he was creating instructional kits to encourage more people, who otherwise would not, to object to liquor licence applications.

The new Local Alcohol Policy should include provisions to ensure that individuals such as Bernard O'Shaughnessy cannot intentionally misuse the objection system.

5 The Wellington Sevens

Hashigo Zake has a policy of staying open on as many days of the year as we are legally entitled. We see it as part of our role of providing hospitality that we stay open as consistently and reliably as possible. We don't apply public holiday surcharges. We trade on Boxing Day, New Year's Day and we traded through the recent weather and earthquake events. But we have concluded that in 2014 we will be better off staying closed during the Wellington Sevens.

The Sevens are touted as an economic benefit to Wellington. And to selected businesses it is. To others it's a cause for stress, anxiety, a lot of cleaning up, increased security, repair bills and a downturn in trade.

The Wellington City Council puts considerable money into the event, presumably to help promote it and to pay costs associated with shutting off streets and redirecting public transport. But in effect, the Council is subsidising New Zealand's highest profile annual occasion of collective alcohol abuse.

The Draft Alcohol Policy makes no mention of the Wellington Sevens.

As long as the Council promotes the Wellington Sevens in its current form I suggest that it lacks any moral authority to dictate to the Wellington hospitality industry how to manage the sale and supply of alcohol.

11 July 2013

SUBMISSION No. 4

Freepost WCC
Attention: Jaime Dyhrberg, Community Networks
Wellington City Council
P O Box 2199
WELLINGTON

By Email: alcoholstrategy@wcc.govt.nz

Submission on **Draft Local Alcohol Policy**

The Port Nicholson Block Settlement Trust makes this submission in respect of the **Draft Local Alcohol Policy**.

The submission is made after consideration of the draft policy, discussion among interested parties and our Trust members, and following consultation with the New Zealand Police.

The Trust wishes to be heard on this submission.

Given the responsibility the Port Nicholson Block Settlement Trust carries as mana whenua of Wellington city and the bottom lines we are charged with meeting, it is imperative that we make this submission on the draft policy.

The Trust believes as a partner with Wellington City Council that we both have a ‘host responsibility’ obligation.

We **SUPPORT** a comprehensive **Draft Local Alcohol Policy** which will achieve the following:

- A safe environment for all members of the public
- A reduction in alcohol-related harm in the city
- The opportunity for the city to rejuvenate itself in the early hours of the morning (3-6am)
- Recognises the concerns of the mana whenua in respect of activities on sites of significance to them

We **SUPPORT** the city’s development through *Wellington Towards 2040: Smart Capital Vision* and the two goals that are particularly relevant to this draft policy, those being a Dynamic Central City and a People-Centred City.

However, “the right mix” is critical. Harm related incidents in the Entertainment Zone particularly, have resulted in people electing to stay away from the area simply because it

alcohol@portnic.org.nz
[Signature]

now seen as an alcohol fuelled area where bad things occur, particularly late at night and in the very early hours of the morning.

Statistics used in the documentation should be taken into consideration in respect of the hours of the night when negative activities occur.

Over recent years there appears to have been a “creep” occur in the hours licensed premises operate until. This has been of concern particularly as demonstrated by statistics included in the Council’s draft policy. We believe the imposition of a standard across the board closing time is critical to getting “the right mix”.

Three of the four proposed zones subject to specific trading conditions are across land parcels that hold cultural significance to Taranaki Whanui. Those sites include original pa sites.

We would **support** the Council instigating a standard across the board on-licence closing time of 3am for the Entertainment Zone (Z1) and Central Area (Z2). An added benefit to an across the board closing time is that for enforcement purposes this is more easily managed.

The accessibility to and availability of alcohol within Wellington City is also of concern. Limiting the hours of sale at off-licence premises is one way to start addressing the level of accessibility and availability. We would **support** Council introducing a 9pm deadline for the sale of alcohol from off-licence premises.

We acknowledge that licence holders will have a different view. However, as the statistics outlined in the Council’s own document indicate, there are statistics highlighted that we should all be concerned about and for which we should take responsibility. For example:

- (1) Hospitality New Zealand figures show the electronic card transactions in the Wellington region between 4am-7am total \$33m per year (22% of all late night transactions nationally).
 - a. Our position is that at this hour of the night, those making transactions will have alcohol and/or drug impaired judgement
- (2) Of the 31 licences operating later than 3am, 21 are classified as taverns.
 - a. Our position is that their primary existence relates to the sale of alcohol (not entertainment or food)
- (3) Figures from the Police show that nationally alcohol-related offending doubles between 1-2am, doubles again between 2-3am and doubles again between 3-5am.
 - a. Our position is that this city can contribute to a reduction in this statistic by implementing a 3am closing time.

The impact and effects of alcohol use are experienced beyond the obvious alcohol-related offending, such as assaults, etc. in the city. We refer here to matters such as domestic violence, theft, etc. Of particular concern to us is the impact on whanau right across the community.

As responsible community leaders we must start to address some of these fundamental issues.

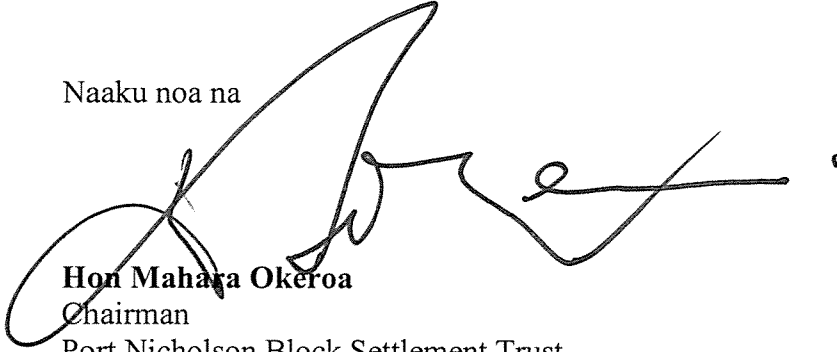
In conclusion, we submit that Wellington City Council needs to:

- (1) Introduce a standard across the board on licence closing time of 3am for the Entertainment precinct
- (2) Introduce a one door initiative from 1am

(3) Implement a 9pm deadline for off-licences (supermarkets, etc) to stop selling alcohol products

We thank you for taking the time to consider our written submission and looking forward to speaking to it at the appropriate time.

Naaku noa na

A handwritten signature in black ink, appearing to read 'Mahara Okeroa', written in a cursive style. The signature is positioned above the printed name and title.

Hon Mahara Okeroa
Chairman
Port Nicholson Block Settlement Trust

Jaime Dyhrberg

From: on behalf of BUS: Alcohol Strategy
Subject: FW: The Right Mix - Confirmation

From: Wellington City Council [mailto:webcentre@wcc.govt.nz]
Sent: Tuesday, July 23, 2013 10:11 AM
To: BUS: Alcohol Strategy
Subject: The Right Mix - Confirmation

The following details have been submitted from the Draft Alcohol Management Strategy and the Draft Local Alcohol Policy consultation form on the Wellington.govt.nz website:

PAGE 1 QUESTIONS

Submitter details:

First Name: Michael
Last Name: Mckee
Street Address: 31 Hector Street
Suburb: Seatoun
City: Wellington
Phone: 0211071120
Email: mckee.family@paradise.net.nz

I would like to make an oral submission. Yes Phone number:
0211071120049708002

I am giving this feedback: on behalf of an organisation Organisation name:
Clan MckeeNZ

PAGE 2 QUESTIONS

Under the proposed zone framework, late-night trading activity of bars and entertainment venues (after 2am or until 3am at the latest) will be moved into a specific Entertainment Precinct in the city to better manage the harm associated with trading at this time.

Disagree

Comments: This penalises entrepreneurs in other parts of the city with your artificial zones which will fail as you don't deal to the problem people just distribution channels.

One has to wonder whether you are in the pay of property owners in the entertainment district in adding value to their investment!

emailed 31/7

Risk-based management framework

Disagree

Comments: It puts the onus on the establishment and not on the end user who is the real risk element.

I suspect this doesn't reflect what is most efficient and cost effective for all users.

Entertainment Precinct maximum trading-hour restrictions for on-licensed venues Disagree

Comments: Again you penalise the supply businesses and what will happen is the end users will change their buying behaviour to suit. you actually don't deal to the problem just the supply chain.

Very poor choice on your part, one has to challenge your commitment to actually dealing to the bad behaviour and creating a safe environment for everyone everywhere.

Central Area maximum trading-hour restrictions for on-licensed venues

Disagree

Comments: If you wanted to deal to this you would have tasked it with by-laws against being drunk in public.

Suburban Centre maximum trading-hour restrictions for on-licensed venues

Comments: So anyone who wants to have a meal and drinks late from 10pm is curtailed.

Why not apply this to all areas?

The proposed maximum trading-hour restrictions of 7am - 9pm for off-licensed venues (supermarkets, grocery stores, bottle stores) Disagree

Comments: Close supermarkets and grocery store sales at 7pm if you're going to close them.

Treating all off-licence venues the same Disagree

Comments: clearly RTDs are the drink of choice so ban them from supermarkets and dairies.

Bottle stores are most likely to enforce against minors.

PAGE 3 QUESTIONS

Council focus on applications for youth-focussed occasions or events Disagree

Comments: you should already be doing this, that you bring it up points to your not doing so.

The proposed circumstances that would trigger a District Licensing Committee hearing for dealing with issues of density and proximity of licensed premises
Disagree

Comments: All renewals should be subject to public notification and hearing.

The proposed discretionary conditions that could be applied to a licence.

Disagree

Comments: This should already be in place and again you don't deal to the end user who causes the problems.

Overall, do you agree with the direction of the draft Local Alcohol Policy?

Disagree

Your comments (be specific): No you merely distract from the issue by focusing on the supply channel, you distort property values and don't act in a cost effective and efficient way.

What are the best aspects of the draft Local Alcohol Policy?
you are talking about it

What aspects of the draft Local Alcohol Policy do you think need to be changed?

the focus on the suppliers not on the offenders

Do you have any other comments either about the content of the draft Local Alcohol Policy or about other matters you want included in the policy?

Why have you not tied in all the above with a by law on public drunkenness and complaints near local events/businesses?

PAGE 4 QUESTIONS

The proposed goals in the draft Alcohol Management Strategy are achievable.

Strongly Disagree

Comments: Buyers will just change their buying behaviour.

The initiatives proposed in the Implementation Plan (attached to the draft strategy) will deliver on the strategic goals.

Disagree

Comments: I suspect your goals were written to be achieved against the policy. How will the plan hold end users who get drunk in public stop abusing others, causing grief and ruining the environment for other patrons be held to account?

The initiatives proposed in the draft strategy will contribute to communities having a healthier relationship with alcohol.

Disagree

Comments: Where is personal responsibility in all this?

Get In The Mix

SUBMISSION No. 469

The Lowdown

- Wellington City Council have released a Draft Alcohol Policy.
- It recommends trading hours for inner city bars of 7am-5am (for best-practice operators) in an Entertainment Precinct in Courtenay Place to Cuba Street and 7am-3am licenses for best practice operators in the rest of the CBD.
- For all other bars, the standard hours would be 7am-2am in the CBD and 7am-3am in the Entertainment Precinct.
- Suburban bars would operate 7am-midnight.
- Off-licenses (supermarkets, bottle stores) trading hours would be 7am-9pm
- Members of the public have until 5pm on Friday the 2nd of August to register their views on the Draft Policy.
- Please tick the statements you agree with and answer the questions and return this form to register your opinion.

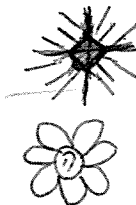
Submission

I submit to the Wellington City Council with regards to the Draft Local Alcohol Policy that:

- I enjoy socialising in Wellington City and believe it is not fair to penalize the majority of people who go out in Wellington and behave well, because of a small minority who behave badly. There should be more personal responsibility and **not** more regulations.
- The proposed Entertainment Precinct is unfair. All bars in the City should have the same opportunity to be open until the same time. I do not want to be told I can only have a drink in certain parts of the city at certain times.
- One way door policies do not work and cause more problems than they solve. If all the doors close at 1am and I could not get into the bar my friends were in I am worried I would be left outside on my own.
- Wellington City benefits from a vibrant and responsibly run Hospitality and Entertainment industry.
- Police should be stricter on the troublemakers who cause the problems in the streets and those who drink in the streets breaking the liquor ban.
- I think all bars and nightclubs in the City should be able to trade to (please circle one):
1am 2am 3am 4am 5am 6am 24 hours
- I think all bars in the suburbs should be able to trade until (please circle one):
12am 1am 2am 3am 4am 24 hours
- I normally drink before I come into town YES or NO (please circle one)
- If the bars shut earlier I will come out earlier YES or NO (please circle one)
- If the bars shut earlier I will party somewhere else YES or NO (please circle one)
- I would like to speak to my submission.**

Your details

Name MARCO MORALES
Email MORALES.WYEMAIL@GMAIL.COM
Address 9 SUN VALLEY GROVE, WAINUIOMATA, NZ
Signature [Signature]



Wellington City Council - Draft Local Alcohol Policy Submission

Your submission on the draft Policy is needed by the Council by 5pm on 2 August 2013

INTRODUCTION

The Sale and Supply of Alcohol Act 2012 allows Councils to introduce Local Alcohol Policies which can impact on the trading hours, location, density and operation of licensed premises. Submissions are now invited on the Wellington City Council's draft Local Alcohol Policy.

This is an important issue for the Wellington Hospitality Industry which is a major contributor to the region's economy, bringing in \$700 million annually and helping create the 'Coolest Little Capital' vibe. A Research NZ survey conducted in Wellington in May 2013 found that 87% of respondents agreed with the current hours the city is open. 90% agreed that the hospitality and entertainment scene is dynamic, vibrant and helps define the city's character.

In Wellington the late night economy is significant with \$41 million spent annually in the city on hospitality between the hours of 4am and 7am. This equates to an estimated \$11 million of wages paid to hospitality workers during those hours.

The Research NZ survey found that 72% of respondents drank before coming into town. We know that 75 % of all alcohol sold in NZ is sold off-premise (supermarkets and bottle stores) and only 25% of all alcohol in NZ is sold on-premise (bars, restaurants, night clubs, hotels). Police and Health authorities agree that the major contributor to alcohol related harm is the pre-loading of alcohol before people come out. Police also agree that the vast majority of bars in Wellington are well run and that the issues that do occur are generally related to people attracted to the area and not to the bars themselves.

We believe the safest place for people to consume alcohol and be entertained is on licensed premises, which have strict host responsibilities, trained staff and are heavily regulated and monitored. Imposing greater restrictions on the hospitality industry is unlikely to change the issue of personal responsibility. In fact it may drive consumption increasingly to uncontrolled environments.

The following short survey seeks your opinions on a number of proposals in the draft Local Alcohol Policy and your response will be submitted in your name to the Council as a formal submission on that policy.

*aw:lw
3/17*

QUESTIONS

Under the zones proposed in the draft policy there will be an Entertainment Precinct – encompassing Courtenay Place and Cuba Street from Kent Terrace up to Abel Smith Street, (see map below)

- Bars in this precinct can trade to 3am (or to 5am for 'best practice' premises)
- Bars elsewhere in the City CBD can trade to 2am (or to 3am for 'best practice' premises)



Question 1: Do you think that the Council should designate a specific Entertainment Precinct with later hours than the rest of the City CBD?

YES

NO

Question 2: Do you think that a designated Entertainment Precinct with later hours than the rest of the City CBD:

a. Is anti-competitive?

YES

NO

b. Will limit the evolution of the city's growth by limiting later trading to one designated area?

YES

NO

c. Will result in higher rents and increased costs for the bar / cafes / restaurants in the Entertainment Precinct?

YES

NO

Comments:

The proposed trading hours in the Entertainment Precinct for On-licenses (bars, nightclubs restaurants) are 7am–3am (7am- 5am for best-practice premises).

Question 3: What do you think the latest trading hour in the Entertainment Precinct should be (if one is created)?

Entertainment Precinct preferred maximum trading hour (please tick one only)

3am	4am	5am	6am	Other (please comment)

Comments:

Outside of the Entertainment Precinct in the City CBD the proposed trading hours for On-licenses (bars, nightclubs, restaurants) are 7am–2am (7am-3am for best-practice premises).

Question 4: What do you think the latest trading hour in the City CBD should be?

City CBD preferred maximum trading hour (please tick one only)

2am	3am	4am	5am	Other (please comment)
				26/15

Comments:

In Suburban centres the proposed trading hours for On-licenses (bars, nightclubs, restaurants) are 7am–midnight.

Question 5: What do you think the maximum trading hour in Suburban Centres should be?

Suburban centres preferred maximum trading hour (please tick one only)

Midnight	1am	2am	3am	Other (please comment)
				4 AM

Comments:

The policy proposes a 'wind down hour' protocol for premises open after 2am, whereby the lighting is turned up, the music turned down, and during this last hour the premises is open you could not purchase a drink (this in effect results in a closing time of an hour earlier than the licensed hour for the premises).

Question 6: Do you think this should be compulsory for all premises that are open after 2am? YES

NO

Comments:

Question 7: The Council are proposing the following conditions could be imposed on a licensed premise. Do you agree? *Please circle Yes or No for each proposed condition.*

a. A 'one way door' after a set time whereby no one else is allowed into the premises but those inside may remain	YES	NO
b. A limit on the number of drinks sold in any one transaction after a certain time	YES	NO
c. A minimum number of security staff set by the Council	YES	NO
d. Compulsory dedicated staff to manage all queues	YES	NO
e. A minimum number of Duty Managers	YES	NO
f. Premises to pick up litter within a certain area	YES	NO
g. Security staff to wear High Viz Vests	YES	NO
h. No glass drinking vessels permitted in any outside area past a certain time	YES	NO
i. All outside temporary furniture to be removed after a certain time	YES	NO
j. No loudspeaker, amplifier, or other audio equipment outside the premises	YES	NO
k. Compulsory CCTV	YES	NO

Comments:

Question 8: Do you think the safety and vibrancy of the City Centre would be enhanced by the following? *Please circle Yes or No for each suggestion.*

a. Better public transport options at night	YES	NO
b. More lighting in the CBD	YES	NO
c. More CCTV cameras in public spaces	YES	NO
d. More street entertainment	YES	NO
e. More food trucks late at night	YES	NO
f. A chill out zone with water, food, transport information, medical assistance	YES	NO
g. More enforcement of liquor bans	YES	NO
h. An instant fine for being intoxicated and/or being a nuisance in a public place	YES	NO
i. A trespass from the city centre for 90 days if caught intoxicated/being a nuisance	YES	NO
j. Greater Police presence	YES	NO

Comments:

The proposed trading hours for Off-premises (supermarkets and bottle stores) are 7am-9pm.

Question 9: What do you think the maximum trading hours for Off-premises should be?

Maximum trading hours for Off-premises

9pm	10pm	11pm	Midnight	Other (please comment)
			X	

Comments:

Question 10: Do you think that supermarkets should have the same trading hours as other Off-premise venues such as bottle stores?

YES

NO

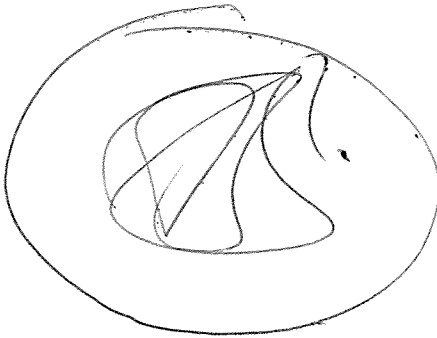
Comments:

Question 11: Overall, do you agree with the direction of the draft Local Alcohol Policy ?

Please tick one only.

Strongly agree	Agree	Disagree	Strongly disagree	Don't know
				X

Please give reasons:



Question 12: Do you have any other comments either about the content of the draft Local Alcohol Policy or about other matters you want included in the policy?

N/A

Please select one:


- I do not wish to discuss my submission at the hearings but give permission for Wellington Hospitality New Zealand to discuss my main points
- I wish to discuss the main points of my submission at a hearing.

Your name: Titapu Parirama-heringaia

Contact address: 21 Bidwell Street, Moerā
look.

Phone Numbers: _____

Email: Ti.parirama@gmail.com

Signature:  Date: 21/07/13.

THE COUNCIL WILL NOT ACCEPT ANONYMOUS SUBMISSIONS

Only a person or agency that has made a submission on a draft LAP will be able to appeal against any element of the resulting provisional LAP.

Privacy statement: All submissions (including name and contact details) are published and made available to elected members of the Council and the public. Personal information supplied will be used for the administration and reporting back to elected members of the Council and the public as part of the consultation process. All information collected will be held by Wellington City Council, 101 Wakefield Street, Wellington. Submitters have the right to access and correct personal information. Return to Freepost 2199, The Right Mix, Wellington City Council, PO Box 2199, Wellington 6011.



**Wellington City Council - Draft Local Alcohol Policy
Submission**

Your submission on the draft Policy is needed by the Council by 5pm on 2 August 2013

INTRODUCTION

The Sale and Supply of Alcohol Act 2012 allows Councils to introduce Local Alcohol Policies which can impact on the trading hours, location, density and operation of licensed premises. Submissions are now invited on the Wellington City Council's draft Local Alcohol Policy.

This is an important issue for the Wellington Hospitality Industry which is a major contributor to the region's economy, bringing in \$700 million annually and helping create the 'Coolest Little Capital' vibe. A Research NZ survey conducted in Wellington in May 2013 found that 87% of respondents agreed with the current hours the city is open. 90% agreed that the hospitality and entertainment scene is dynamic, vibrant and helps define the city's character.

In Wellington the late night economy is significant with \$41 million spent annually in the city on hospitality between the hours of 4am and 7am. This equates to an estimated \$11 million of wages paid to hospitality workers during those hours.

The Research NZ survey found that 72% of respondents drank before coming into town. We know that 75 % of all alcohol sold in NZ is sold off-premise (supermarkets and bottle stores) and only 25% of all alcohol in NZ is sold on-premise (bars, restaurants, night clubs, hotels). Police and Health authorities agree that the major contributor to alcohol related harm is the pre-loading of alcohol before people come out. Police also agree that the vast majority of bars in Wellington are well run and that the issues that do occur are generally related to people attracted to the area and not to the bars themselves.

We believe the safest place for people to consume alcohol and be entertained is on licensed premises, which have strict host responsibilities, trained staff and are heavily regulated and monitored. Imposing greater restrictions on the hospitality industry is unlikely to change the issue of personal responsibility. In fact it may drive consumption increasingly to uncontrolled environments.

The following short survey seeks your opinions on a number of proposals in the draft Local Alcohol Policy and your response will be submitted in your name to the Council as a formal submission on that policy.

*awarded
31/7*

QUESTIONS

Under the zones proposed in the draft policy there will be an Entertainment Precinct – encompassing Courtenay Place and Cuba Street from Kent Terrace up to Abel Smith Street, (see map below)

- Bars in this precinct can trade to 3am (or to 5am for 'best practice' premises)
- Bars elsewhere in the City CBD can trade to 2am (or to 3am for 'best practice' premises)



Question 1: Do you think that the Council should designate a specific Entertainment Precinct with later hours than the rest of the City CBD? YES NO
-no

Question 2: Do you think that a designated Entertainment Precinct with later hours than the rest of the City CBD:

- a. Is anti-competitive? YES-yes NO
- b. Will limit the evolution of the city's growth by limiting later trading to one designated area? YES-yes NO
- c. Will result in higher rents and increased costs for the bar / cafes / restaurants in the Entertainment Precinct? YES-yes NO

Comments:

All cbd bars should be treated equally

The proposed trading hours in the Entertainment Precinct for On-licenses (bars, nightclubs restaurants) are 7am–3am (7am- 5am for best-practice premises).

Question 3: What do you think the latest trading hour in the Entertainment Precinct should be (if one is created)?

Entertainment Precinct preferred maximum trading hour (please tick one only)

3am	4am <input checked="" type="checkbox"/>	5am <input type="checkbox"/>	6am	Other (please comment)

Comments: All CBD has should be treated equally as they have similar costs. Having patrons leaving at 4am means it is staggered as very few will stay till then. Industry has all mental intoxication

Outside of the Entertainment Precinct in the City CBD the proposed trading hours for On-licenses (bars, nightclubs, restaurants) are 7am–2am (7am-3am for best-practice premises).

Question 4: What do you think the latest trading hour in the City CBD should be?

City CBD preferred maximum trading hour (please tick one only)

2am	3am	4am	5am <input checked="" type="checkbox"/>	Other (please comment)
			5am	

Comments: Give as much flexibility as possible so you don't get a lot of people coming out at the same time

Ars should monitor and eject drunks

In Suburban centres the proposed trading hours for On-licenses (bars, nightclubs, restaurants) are 7am–midnight.

Question 5: What do you think the maximum trading hour in Suburban Centres should be?

Suburban centres preferred maximum trading hour (please tick one only)

Midnight	1am <input checked="" type="checkbox"/>	2am	3am	Other (please comment)
	1am			

Comments:

Reasonable in residential area but not CBD area

The policy proposes a 'wind down hour' protocol for premises open after 2am, whereby the lighting is turned up, the music turned down, and during this last hour the premises is open you could not purchase a drink (this in effect results in a closing time of an hour earlier than the licensed hour for the premises).

Question 6: Do you think this should be compulsory for all premises that are open after 2am? YES NO

Comments: no

Each bar is open bars will moderate lightly etc based on the number of patrons served there - there is no point have staff if only 2-3 drinks
self regulate

Question 7: The Council are proposing the following conditions could be imposed on a licensed premise. Do you agree? *Please circle Yes or No for each proposed condition.*

a. A 'one way door' after a set time whereby no one else is allowed into the premises but those inside may remain	YES	NO
b. A limit on the number of drinks sold in any one transaction after a certain time	YES	NO
c. A minimum number of security staff set by the Council	YES	NO
d. Compulsory dedicated staff to manage all queues	YES	NO
e. A minimum number of Duty Managers	YES	NO
f. Premises to pick up litter within a certain area	YES	NO
g. Security staff to wear High Viz Vests	YES	NO
h. No glass drinking vessels permitted in any outside area past a certain time	YES	NO
i. All outside temporary furniture to be removed after a certain time	YES	NO
j. No loudspeaker, amplifier, or other audio equipment outside the premises	YES	NO
k. Compulsory CCTV	YES	NO

Comments: This is not a police station - let humans run themselves. There are already numerous nuisance issues covering hats don't make life more difficult for everybody.

Question 8: Do you think the safety and vibrancy of the City Centre would be enhanced by the following? *Please circle Yes or No for each suggestion.*

a. Better public transport options at night	YES	NO
b. More lighting in the CBD	YES	NO
c. More CCTV cameras in public spaces	YES	NO
d. More street entertainment	YES	NO
e. More food trucks late at night	YES	NO
f. A chill out zone with water, food, transport information, medical assistance	YES	NO
g. More enforcement of liquor bans	YES	NO
h. An instant fine for being intoxicated and/or being a nuisance in a public place	YES	NO
i. A trespass from the city centre for 90 days if caught intoxicated/being a nuisance	YES	NO
j. Greater Police presence	YES	NO

Comments: Put the pressure on those intoxicated as well as on those who behave badly. Fine them take their cars hold their driver's licence make them behave responsibly.

The proposed trading hours for Off-premises (supermarkets and bottle stores) are 7am-9pm.

Question 9: What do you think the maximum trading hours for Off-premises should be?

Maximum trading hours for Off-premises

9pm	10pm	11pm	Midnight	Other (please comment)
	10			

Comments: people should have the right to buy liquor until a reasonable time

people should be able to get liquor for private consumption until a reasonable hour

Question 10: Do you think that supermarkets should have the same trading hours as other Off-premise venues such as bottle stores? YES NO

Comments:

They already donate sales & aren't heavily same criteria as pubs etc

Question 11: Overall, do you agree with the direction of the draft Local Alcohol Policy ?

Please tick one only.

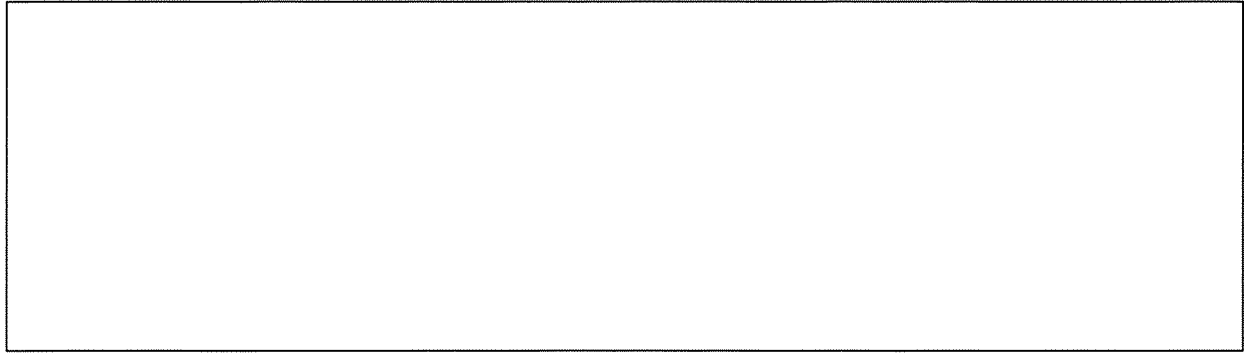
Strongly agree	Agree	Disagree	Strongly disagree	Don't know
			yes	

Please give reasons:

more & more restrictions for suppliers

Give flexibility in times –this is not a police state

Punish drunks and get individual responsibility –take away their cars and dole or anything that will hurt them and make them think



Question 12: Do you have any other comments either about the content of the draft Local Alcohol Policy or about other matters you want included in the policy?

The whole emphasis should be on individuals who abuse the system - get drunk & do noties.
There should be numeric sites open to take for responsible drinkers.
If you have it done you will have a lot of unhappy people on the streets at one time.

Please select one:

- I do not wish to discuss my submission at the hearings but give permission for Wellington Hospitality New Zealand to discuss my main points
- I wish to discuss the main points of my submission at a hearing.

Your name:

Tony Lowery

Contact address:

Rest 11240 Wellington 6142

Phone Numbers:

04805 0241 027 2247297

Email:

tony@bruhans.co.nz

Signature:

Date:

13/7/2015

THE COUNCIL WILL NOT ACCEPT ANONYMOUS SUBMISSIONS

Jaime Dyhrberg

From: on behalf of BUS: Alcohol Strategy
Subject: FW: The Right Mix - Confirmation

From: Wellington City Council [mailto:webcentre@wcc.govt.nz]
Sent: Thursday, August 01, 2013 11:05 AM
To: BUS: Alcohol Strategy
Subject: The Right Mix - Confirmation

The following details have been submitted from the Draft Alcohol Management Strategy and the Draft Local Alcohol Policy consultation form on the Wellington.govt.nz website:

PAGE 1 QUESTIONS

Submitter details:

First Name: damian
Last Name: Jones
Street Address: 9 Edward st
Suburb: Te Aro
City: wellington
Phone: 0273353653
Email: zencoffee@live.com

I would like to make an oral submission. Yes Phone number: 0273353653

I am giving this feedback: on behalf of an organisation Organisation name: Meow

PAGE 2 QUESTIONS

Under the proposed zone framework, late-night trading activity of bars and entertainment venues (after 2am or until 3am at the latest) will be moved into a specific Entertainment Precinct in the city to better manage the harm associated with trading at this time.

Strongly Disagree

Comments: I would like Edward st to be included in the late night precinct. Edward st has a long history as a late night entertainment area. As a responsible licence holder I believe that Edward st contributes to the unique character of wellington, supporting the vibrant live music scene, wellington jazz festival, the fringe festival, nz arts festival as well as other important events which add to the artistic diversity and the economy of wellington.

*12:10pm
Tuesda 6 August
encl
confir → t. 2
1/8.*



Risk-based management framework

Don't know

Comments: As a responsible restaurant/bar owner with little or no issues over the last 4 1/2 years I feel that I should be rewarded for this, with longer licence times and lower fees.

Entertainment Precinct maximum trading-hour restrictions for on-licensed venues Strongly Disagree

Comments: under the new plan, the highest risk areas (Courtney & Cuba) appear to be rewarded for all the trouble that occurs in the area. By clumping bars together adds to a pack like mentality and increased risk.

Central Area maximum trading-hour restrictions for on-licensed venues

Disagree

Comments: I think responsible businesses should be encouraged to operate later, to keep people safe and off the streets.

Suburban Centre maximum trading-hour restrictions for on-licensed venues

Disagree

Comments: Encouraging people to stay in suburbs is a better idea, to reduce drink driving. A responsible suburban bar can keep the locals close to home, then it's better for everyone.

The proposed maximum trading-hour restrictions of 7am - 9pm for off-licensed venues (supermarkets, grocery stores, bottle stores) Strongly agree

Comments: one of the biggest problems facing patrons to venues in Wellington is dealing with intoxicated people whom have no intention of entering any licenced premise.

Treating all off-licence venues the same Don't know

Comments:

PAGE 3 QUESTIONS

Council focus on applications for youth-focussed occasions or events Don't know

Comments:

The proposed circumstances that would trigger a District Licensing Committee hearing for dealing with issues of density and proximity of licensed premises

Don't know

Comments:

The proposed discretionary conditions that could be applied to a licence.

Agree

Comments:

Overall, do you agree with the direction of the draft Local Alcohol Policy?

Disagree

Your comments (be specific): I think the biggest offenders are being rewarded under the new plan, while responsible operators are being punished.

What are the best aspects of the draft Local Alcohol Policy?
off licence hours.

What aspects of the draft Local Alcohol Policy do you think need to be changed?

increasing the late licence area

Do you have any other comments either about the content of the draft Local Alcohol Policy or about other matters you want included in the policy?

PAGE 4 QUESTIONS

The proposed goals in the draft Alcohol Management Strategy are achievable.

Don't know

Comments:

The initiatives proposed in the Implementation Plan (attached to the draft strategy) will deliver on the strategic goals.

Disagree

Comments:

The initiatives proposed in the draft strategy will contribute to communities having a healthier relationship with alcohol.

Disagree

Comments:

:

SUBMISSION No. ... 315

Giselle Baretta

From: Wellington City Council [webcentre@wcc.govt.nz]
Sent: Friday, 2 August 2013 3:30 p.m.
To: BUS: Alcohol Strategy
Subject: The Right Mix - Confirmation

Follow Up Flag: Follow up
Flag Status: Red

The following details have been submitted from the Draft Alcohol Management Strategy and the Draft Local Alcohol Policy consultation form on the Wellington.govt.nz website:

PAGE 1 QUESTIONS

Submitter details:

First Name: Rainsforth
Last Name: Dix
Street Address: Kelburn Parade
Suburb: Kelburn
City: Wellington
Phone: 044636713
Email: rainsforth.dix@vuw.ac.nz

I would like to make an oral submission. Yes Phone number: 044636713

I am giving this feedback: on behalf of an organisation Organisation name: Victoria Univeristy of Wellington

sh/8
10:30am
text message
re: bus
oral
henry

PAGE 2 QUESTIONS

Under the proposed zone framework, late-night trading activity of bars and entertainment venues (after 2am or until 3am at the latest) will be moved into a specific Entertainment Precinct in the city to better manage the harm associated with trading at this time.

Agree

Comments: Refer written submission

Risk-based management framework

Agree

Comments: refer written submission

Entertainment Precinct maximum trading-hour restrictions for on-licensed venues Disagree

212

Comments: refer written submission

Central Area maximum trading-hour restrictions for on-licensed venues Agree
Comments:

Suburban Centre maximum trading-hour restrictions for on-licensed venues
Don't know
Comments:

The proposed maximum trading-hour restrictions of 7am - 9pm for off-licensed venues (supermarkets, grocery stores, bottle stores) Don't know
Comments:

Treating all off-licence venues the same Agree
Comments: refer written submission

PAGE 3 QUESTIONS

Council focus on applications for youth-focussed occasions or events Strongly agree
Comments:

The proposed circumstances that would trigger a District Licensing Committee hearing for dealing with issues of density and proximity of licensed premises
Agree
Comments:

The proposed discretionary conditions that could be applied to a licence.
Disagree
Comments: refer written submission

Overall, do you agree with the direction of the draft Local Alcohol Policy?
Agree
Your comments (be specific): refer the written submission

What are the best aspects of the draft Local Alcohol Policy?
policy objectives

What aspects of the draft Local Alcohol Policy do you think need to be changed?
monitoring needs to be strengthened

Do you have any other comments either about the content of the draft Local Alcohol Policy or about other matters you want included in the policy?
refer written submission

PAGE 4 QUESTIONS

The proposed goals in the draft Alcohol Management Strategy are achievable.

Agree

Comments:

The initiatives proposed in the Implementation Plan (attached to the draft strategy) will deliver on the strategic goals.

Disagree

Comments:

The initiatives proposed in the draft strategy will contribute to communities having a healthier relationship with alcohol.

Disagree

Comments:

PAGE 5 QUESTIONS

Which ethnic group(s) do you belong to

Please, specify:

2 August 2013

Freepost 2199
The Right Mix
Wellington City Council
PO Box 2199
Wellington 6011

Victoria University of Wellington – Submission on Draft Local Alcohol Policy

This submission does not address every aspect of the Draft Local Alcohol Policy, but rather those of particular interest to Victoria University and its students.

We also wish to make an oral submission.

STRATEGIC SETTING

Reducing harm for our at risk student population, predominately first year students under the age of 20.

The Wellington City Council has specifically stated the outcomes sought by the strategy are:

- reduced harm
- increased vibrancy
- improved amenity
- greater personal responsibility
- greater collaboration

Victoria University has over 3,200 first year students under the age of 20. Approximately 2,500 of these first year students are based in Halls of Residence. The Halls are predominantly located in Kelburn or on the edge of the Central City Zone. Many of these students in particular are drawn to the entertainment precinct and do not recognise or acknowledge the risks inherent in consuming excessive quantities of alcohol.

The University agrees with the outcomes sought by the strategy; however we would like to see greater support for these strategies in the policy. Specifically,

- one closing time for all on-licence premises in the entertainment precinct;
- strengthened monitoring mechanisms for off-licences;
- strengthened controls on the promotion of alcohol; and
- improved processes for ensuring the University has an opportunity to raise any matters that may be relevant during a licence renewal for on-licence and off-licence applications where there is a clear student welfare interest.

MAXIMUM TRADING-HOUR LIMITS BY LICENCE KIND

On-licences in the entertainment precinct

The University favours the maximum (latest hour) should only be 3am the following day.

The University has a number of reduce harm strategies in place. One of the most effective is the provision of a Safe Van. This operates from Wednesday night through to Sunday morning every week during our two main semesters. The van starts at 10.30pm and continuously operates until the last delivery of students back to Halls at approximately 4.30am. The van is always full. Students in this vulnerable age group do not recognise or acknowledge the risks in excessive drinking.

In raising this concern we are aware there are many other young people who are enjoying what is on offer in the entertainment precinct. The responsibility for ensuring them and our students are safe should be a key consideration for the City. The City should also recognise that the level of personal responsibility which is realistic for this age group is different from everyone else and that a policy which supports a reduce harm strategy is important.

The University submits that a single "hours of operation" in the Entertainment Precinct, being 7am – 3am the following day, will reduce the on-going consumption of alcohol in the City and will contribute significantly to the reduce harm outcome while continuing to support the other strategic objectives.

Should this submission not be favoured we submit further that a one-way policy be implemented for any premise allowed to operate beyond 3am.

Off-licences

The University agree the hours should be reduced to 7am – 9pm.

There is much evidence that the at risk student population purchases alcohol from off-licences for pre and side loading. Reduced hours do minimise the opportunities for this.

We seek further clarification on how this impacts on supermarkets and dairies whose hours of operation are guided by other non-alcohol sales, and how this will be monitored.

The University submits that strong control mechanisms for ensuring off-licence compliance will strengthen the City's objectives.

LICENCE CONDITIONS

Advertising and Promotion of Alcohol

The University submits that previous harmful advertising and promotion by a licensee should be taken into consideration when there is a renewal application. This should be specifically and separately articulated in the Criteria for Assessing Applications.

IRRESPONSIBLE PROMOTION OF ALCOHOL

Every year at the commencement of the university teaching term, commonly known as "Orientation", a high number of on-licence and off-licence businesses in and around the Entertainment Precinct aggressively promote to first year students. Most of these promotions are irresponsible, specifically encouraging the consumption and over-consumption of alcohol through the use of pricing campaigns, "giveaway" strategies and the promotion of "lifestyle" advertising which promotes alcohol consumption in positive ways without conveying the associated risks.


We support the strengthened role of the Licence Inspectors, additionally the University submits that a licensed premise should neither be allowed to advertise alcohol on the outside of the premise, nor locate alcohol immediately near the entry or egress points.

APPLICATION OF THE POLICY

Transitional measures and reapplication for licences

We are generally comfortable with this aspect of the draft, but the University would need assurance that where license applications of a premise known to be a student bar or which promotes heavily to students (during Orientation week), that the University is given the opportunity to raise any matters that may be relevant.

Yours sincerely



Rainsforth Dix

Associate Director, Campus Operations

HOW WE MANAGE ALCOHOL IN WELLINGTON SUBMISSION FORM

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WELLINGTON CITY COUNCIL

Absolutely
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Wellington

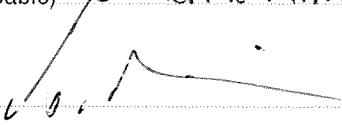
SUBMISSION No. ... **522** ...

I wish to discuss the main points in my written submission at a hearing, to be held in early August 2013 (note oral submissions are given five minutes for individuals and 10 minutes for organisations).

I am completing this submission:

On my own behalf On behalf of a group or organisation

If you are representing a group or organisation, how many people do you represent? **Foodstuffs (Wellington) Co-operative Society Ltd**

Your name **Catherine Milnes**
Organisation name (if applicable) **Foodstuffs (Wellington) Co-operative Society Ltd**
Organisation role (if applicable) **General Counsel**
Contact address **57 Kilm Street, Silverstream, Upper Hut**
Post code _____
Phone number (day) **527-2608** Phone number (evening) _____
Email (if applicable) **catherine.milnes@foodstuffs-wgtn.co.nz**
Signature  Date **2/8/13**

Privacy statement

All submissions (including name and contact details) are published and made available to elected members of the Council and the public. Personal information supplied will be used for the administration and reporting back to elected members of the Council and the public as part of the consultation process. All information collected will be held by Wellington City Council, 101 Wakefield Street, Wellington. Submitters have the right to access and correct personal information.



DRAFT LOCAL ALCOHOL POLICY

1. Please indicate your level of satisfaction with the following provisions in the draft LAP.

*If you disagree, please tell us what you would like the provision to be changed to.

1a. Under the proposed zone framework, late-night trading activity of bars and entertainment venues will be moved into a specific Entertainment Precinct to better manage the harm associated with trading at this time.

The proposed Entertainment Precinct boundaries are Courtenay Place (Kent Terrace) to Cuba Street (Abel Smith Street).

(section 9 of the draft LAP)

Creating an Entertainment Precinct: (please tick one only)

- Strongly agree Agree Disagree Strongly disagree Don't know

Please give reasons:

1b. The proposed risk-based management framework reviews the suitability of all elements of the activity in relation to its impacts on the community, and provides a risk classification.

This classification will influence the licence fees charged by the Council and the types of conditions that may be applied to the licence. The lower the risk, the lower the fees charged by the Council and the fewer restrictions applied to the licence.

(section 8 of the draft LAP)

Risk-based management framework (please tick one only)

- Strongly agree Agree Disagree Strongly disagree Don't know

Please give reasons:

1c. The proposed maximum trading-hour restrictions for on-licensed venues (bars, restaurants, cafés).

Entertainment Precinct

7am–3am

7am–5am maximum for best-practice premises

Central Area

7am–2am

7am–3am maximum for best-practice premises

Suburban Centre

7am–midnight maximum

(section 9 of the draft LAP)

Entertainment Precinct maximum trading-hour restrictions for on-licensed venues

(please tick one only)

Strongly agree Agree Disagree Strongly disagree Don't know

Central Area maximum trading-hour restrictions for on-licensed venues (please tick one only)

Strongly agree Agree Disagree Strongly disagree Don't know

Suburban Centre maximum trading-hour restrictions for on-licensed venues (please tick one only)

Strongly agree Agree Disagree Strongly disagree Don't know

Please give reasons:

1d. The proposed maximum trading-hour restrictions of 7am–9pm for off-licensed venues (supermarkets, grocery stores, bottle stores).

(section 9 of the draft LAP)

Maximum trading-hour restrictions of 7am–9pm for off-licensed venues

(please tick one only)

Strongly agree Agree Disagree Strongly disagree Don't know

Please give reasons:

See submissions attached.

1e. Supermarkets, grocery and bottle stores (all off-licence venues) should be treated the same despite the different range of products they sell.

- Supermarket and grocery stores can sell only beer and wine
- Bottle stores can sell beer, wine, spirits and RTDs (ready-to-drink mixes)

Treating all off-licence venues the same (please tick one only)

Strongly agree Agree Disagree Strongly disagree Don't know

Please give reasons:

See submissions attached.

1f. The Council will look closely at applications for the sale and supply of alcohol at youth-focused occasions or events, or those likely to attract people under the legal purchase age of 18 years.

(section 9 of the draft LAP)

Council focus on applications for youth-focused occasions or events (please tick one only)

Strongly agree Agree Disagree Strongly disagree Don't know

*** If you disagreed above, please give reasons**

.....

.....

.....

.....

1g. The policy identifies circumstances that would trigger a District Licensing Committee hearing to deal with issues of density and proximity of licensed premises.

(section 10 of the draft LAP)

The proposed circumstances that would trigger a District Licensing Committee hearing to deal with issues of density and proximity of licensed premises (please tick one only)

Strongly agree Agree Disagree Strongly disagree Don't know

* If you disagreed above, please give reasons

Greater discretionary processes need to apply.

1h. The proposed discretionary conditions that could be applied to a licence.

(section 11 of the draft LAP)

The proposed discretionary conditions (please tick one only)

Strongly agree Agree Disagree Strongly disagree Don't know

Please give reasons:

2. Overall, do you agree with the direction of the draft Local Alcohol Policy? (please tick one only)

Strongly agree Agree Disagree Strongly disagree Don't know

Please give reasons:

See submissions attached.

Please be as specific as possible to help us understand your views. It is helpful if you clearly state the page(s) and/or section number(s) of the draft LAP you are commenting on.)

3. What are the best aspects of the draft Local Alcohol Policy?

4. What aspects of the draft Local Alcohol Policy do you think need to be changed?

See submissions attached

5. Do you have any other comments either about the content of the draft Local Alcohol Policy or about other matters you want included in the policy?

See submissions attached.

DRAFT ALCOHOL MANAGEMENT STRATEGY

6. The proposed goals in the draft Alcohol Management Strategy are achievable (please tick one only)

- Strongly agree Agree Disagree Strongly disagree Don't know

Please give reasons:

7. The initiatives proposed in the Implementation Plan (attached to the draft strategy) will deliver on the strategic goals (please tick one only)

- Strongly agree Agree Disagree Strongly disagree Don't know

Please give reasons:

8. The initiatives proposed in the draft strategy will contribute to communities having a healthier relationship with alcohol (please tick one only)

- Strongly agree Agree Disagree Strongly disagree Don't know

Please give reasons:

You may add more pages if you wish. Thank you for your submission.

You don't have to complete this section, but this information helps us to know who we are reaching. We use this for statistical purposes only. It will not be made publicly available.

Your Gender

- Male Female

Your age

- Under 18 years 18–29 years 30–39 years
 40–49 years 50–59 years 60 years and over

Your ethnicity

- New Zealand European Māori Samoan
 Cook Island Tongan Niuean
 Indian Chinese Other

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**Fold, fasten and post this form to the Wellington City Council
using the Freepost address below**

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SUBMISSION No. ... **527** ...

HOW WE MANAGE ALCOHOL IN WELLINGTON
SUBMISSIONS ON BEHALF OF
FOODSTUFFS (WELLINGTON) CO-OPERATIVE SOCIETY LIMITED

Wellington City Council

Draft Local Alcohol Policy

1. These submissions are prepared for Foodstuffs (Wellington) Co-operative Society Limited (“Foodstuffs”). Foodstuffs’ operates as part of its core retail grocery business the PAK’nSAVE, New World and Four Square brands. Each of these stores are individually owned by our members, who are proud owner operators.
2. Foodstuffs’ supports and promotes responsible alcohol consumption.
3. Foodstuffs’ however opposes aspects of the Local Alcohol Policy (“LAP”), namely the restriction of off-licence trading hours to between 7am and 9pm. We would seek to have the default hours under the Sale and Supply of Alcohol Act 2012 (“the Act”) being implemented as part of the plan. That is, off-licence trading hours should be between 7am and 11pm.

Executive Summary

4. The default national trading hours should be implemented for off-licences.
5. Supermarkets are different to other off-licence premises in the nature of the products we sell and the customers we serve.
6. The onus is on the Council to prove the “reasonableness” of the draft LAP prior to implementation. It is not for Foodstuffs to prove it is “unreasonable”. Foodstuffs’ submits that the Council has failed prove reasonableness in terms of the proposed restrictions to off-licence trading hours and their relationship to curbing the harm caused by alcohol over-consumption.

7. The Committee has failed to provide sufficient evidence of the co-relationship between purchases through supermarkets, consumption and alcohol related harm, but rather relies on broad brush assertions and assumptions.
8. The evidence Foodstuffs has is that the draft LAP will impact on our customers and cause them inconvenience.
9. Our members contribute significantly to the local economy. We service the community, we are major employers and we are major supporters of local community projects.
10. Foodstuffs' is seeking to be heard on these submissions.

Background to the Act

11. The Act originated back in 2008 through the Honourable Leanne Dalziel. It was finally adopted under the Honourable Judith Collins. The focus of the Act was to reduce alcohol related harm and to bring a change to our drinking culture.
12. It is clear from reading the Hansard debate (Sitting Date 11 December 2012, Volume 686, Page 7348) that the more specific targets of the legislation were minors and young persons.
13. During the then Bill's third reading, the Honourable Judith Collins refers to the Bill as "*striking a sensible balance and deal[s] with the considerable harm that alcohol causes without unfairly affecting responsible drinkers*".
14. The Law Commission report, Alcohol in our Lives : Curbing the Harm (NZLC R114) provides a detailed analysis of the flaws in the Sale of Liquor Act 1989 as well as collating and analysing the concerns of hundreds of submitters, reviewing international studies regarding the correlation between alcohol and harm, and providing recommendations for the Act.

15. From a review of the Law Commission report, it is clear that the primary concern relating to alcohol availability and its correlation to harm, regarding off-licences, relates to outlet density. Foodstuffs' agrees with this premise.
16. In her speech, the Honourable Judith Collins states; *"Let us look at access to alcohol. Right now we can buy alcohol in supermarkets, bottle stores, clubs, bars and corner stores, sometimes 24 hours a day. This is despite clear evidence showing a link between alcohol availability and harm, such as crime and health problems. The Sale and Supply of Alcohol Bill, which I will now refer to as "the bill", introduces national maximum trading hours of 7am to 11pm for bottle stores, supermarkets, and grocery stores, and 8am to 4am for restaurants, bars and clubs."*
17. Taking these factors into account, it is submitted that the intention behind the ability for local government to develop LAP's was primarily directed at on-licence and off-licence outlet density as opposed to trading hours.

Trading Hours

18. It is submitted that the default hours under the Act should apply. It is clear from the narrative above that Parliament did consider the issue of trading hours and considered it within the context of the purpose of the Act, that is, to reduce harm. Parliament diligently and responsibly considered the issues and reacted with the sensible proposal to restrict trading hours to between 7am to 11pm.
19. It is submitted that there is no evidence to support the theory that preventing off-licence sales after 9pm will address the issue of harm through preloading or side loading. The obvious knock on effect will be that the target group will simply get drunk earlier as opposed to later. This is as speculative an assumption as the

Council's view that restricting off-licence trading hours will reduce alcohol related harm.

20. The likely outcome, is that consumers will simply purchase alcohol earlier in the evening or the previous day, probably in larger quantities to ensure an adequate supply through the night.
21. Further, there is an increased risk that persons wanting to purchase alcohol later than 9pm will drive to another council location with more flexible hours to purchase it. This will increase the risk of harm if persons are driving over the alcohol breath limit; without eliminating any of the identified or perceived harm with individuals returning with their alcohol supplies to the Wellington area.
22. It is further submitted, that a restriction on trading hours for supermarkets and grocery stores poses a great inconvenience to customers and the stores alike. Unlike bottle stores which sell few non alcohol related products, supermarkets and grocery stores continue to be open. To have some no-go areas poses difficulties and self policing of alcohol purchases after 9pm is also problematic. What about the customer who enters the store at 8:55pm but who only makes it to the checkout at 9:15pm? How absolute is this for an offence which prima facie appears strict liability?
23. In terms of customers, it is submitted that the supermarket and grocery store shoppers will be disadvantaged by the antics of a small proportion of primarily ready to drink ("RTD") or spirits drunks. Given the density now of inner city living, workers returning to their apartments after Friday night drinks at the office or a quick curry in town will not be able to pick up a bottle of wine on the way home, which is the demographic customer of our stores. This applies equally to suburban dwellers who would have walked to the local Four Square to purchase a bottle of wine in similar vein.
24. The principal business of a supermarket is not the sale of liquor. Our supermarkets trade relatively long hours because our stock in trade is to provide the widest possible service to different sectors of the community.

25. It is submitted that all off-licences in the greater Wellington region should be subject to the same trading hour restrictions and that should be between 7am and 11pm.

The Supermarket Distinction

26. It is submitted that supermarkets are not “ordinary” off-licences. This is due to the restriction of alcohol products able to be sold. Supermarkets offer high quality, top end alcoholic beverages to consumers. They are restricted to selling wine, beer and cider. Supermarkets do not stock plain pack alcohol products or sell spirits or RTD products.
27. The proliferation of RTDs was a focus of the Law Commission in their report. Chapter 22 “Regulating alcohol products” specifically considers whether or not RTDs should be banned or further restricted.
28. The Law Commission received more than 700 submissions which commented on this issue and the overwhelming majority were concerned about RTDs. The Law Commission cites New Zealand studies concluding that 14 to 17 years olds and 18 to 24 years olds were the most frequent drinkers of RTDs. The comment was also recorded that many young people do not like the taste of wine or beer and the high sugar levels of RTDs made consumption of alcohol far more palatable and accordingly, RTDs were marketed to young people.
29. Ultimately, the Law Commission did not recommend banning these products as it simply is not feasible to do so. They did however provide guidance on what would constitute an undesirable product and recommended that consideration should be given to the undesirability of spirit based RTDs with caffeinated mixers.
30. The Committee has indicated that their target group in terms of reducing harm are young men. No work has been undertaken by the Committee in order to establish what alcoholic beverages are being consumed but the media, through tragedies such

as the death of James Webster highly suggests it is spirits and spirit based RTDs (bourbon and cola premixes etc). Obviously, these products are simply not available at supermarkets and grocery stores.

31. Appendix 5 at page 15 of the Strategy and Policy Committee document, demonstrates that of the student population in Wellington City, the vast majority of off-licence sales were by bottle stores. Many of these purchasers will by definition be in the Council's target group for harm reduction.
32. It is submitted that the Committee has failed to recognise the distinction between supermarkets and bottle stores when drafting their LAP, nor has it correlated actual harm to the type of product purchased and where that product was purchased from. Suffice to say, the vast majority of our community consumes alcohol in a safe and responsible manner.

“Evidence”

33. The statutory rationale in implementing a LAP is based on “reasonableness”. The LAP must be reasonable in order to address the identified harm being caused by alcohol. It is submitted that the harm referred to needs to be more than a simple blanket statement “alcohol causes harm”, or “people get cancer from consuming too much alcohol” and accordingly, the onus is on the Council to prove that the LAP is reasonable to address the identified harm. Put another way, it is not up to the off-licence sector to demonstrate why the policy is unreasonable.
34. The draft policy relies on what it refers to as evidence. With respect, this evidence is flimsy at best and has been interpreted in a speculative manner. The Committee recognises the importance of strong evidence at 5.4 of the Draft Alcohol Management Strategy and Draft Local Alcohol Policy where it states *“Evidence-based decision-making is an essential element of the local alcohol policy-making process.”*

35. The only purported rationale for restricting the trading hours of off-licences is to “reduce harm”. Unfortunately, no work has been undertaken to establish via an evidential foundation the correlation between off-licence alcohol purchases, consumption and harm. The policy drafters rely on supposition alone.

36. One factor referred to is the incidence of police arrests during the night. The police view per their presentation on the LAP presented by Inspector Chris Scahill is that;

“the predicted rate of offences associated with closing later when compared to 12am or earlier is:

- 4.2 times the expected rate of offences between 2.01am and 3am
- 8.9 times the expected rate of offences between 3.01am and 5am”

It is submitted that this evidence speaks for itself and has no bearing on the default trading hours for off-licences under the Act of 11pm. There is no evidence to support the supposition that closing off-licences at 9pm will reduce this statistic.

37. In terms of the health statistics cited per presentations at the Emergency Department, there was no “evidence” to link the type of alcohol consumed, where it was consumed to the medical harm that had been caused. Again this was supposition. Patients were not asked if their presentation was linked to preloading or sideloading or whether they had consumed other substances such as party pills or drugs.

38. Further, the link towards identifying the Southern zone as a hotspot for young males and alcohol related harm is also hypothesis as it does not identify where these people are consuming their alcohol. Given this area is densely populated with students and graduates there is equal logic in stating that they drink in the CBD as opposed to their local area. Either approach solidifies the fact that these are assumptions and you cannot rely on this data as evidence of alcohol related harm in restricting access to alcohol or licencing within this zone.

39. It is submitted that the “evidence” contained in the “Off-licence Purchasing and Consumption Patterns” surveys is equally flawed. The data collected included

observing how many people purchased from a bottle store who had groceries from another store. This is clearly a stretch given that, first, bottle stores do not sell grocery items, second there is no way of knowing who was going on to another store to purchase grocery items, third, who had arrived in a vehicle potentially leaving grocery items in their car and fourth, how does any of the information collected correlate to alcohol harm? With respect, if the purpose of collecting this information was to demonstrate that those purchasing alcohol from bottle stores did so with or without purchasing food and therefore they must or must not be preloading or sideloaded demonstrates a flawed hypothesis, methodology and ultimately conclusions.

40. In terms of this “evidence”, the fundamental issues are that surveys only occurred on a Friday or Saturday evening, occurred only over two consecutive weekends, involved small population sizes (n) with results being expressed as a percentage, has subjective elements in terms of assessing age of the respondent, and does not refer to those who refused to take part.

Evidence

41. Eleven Wellington City owner / operated Foodstuffs supermarkets open after 9pm. They employ over 1600 people who receive \$46.5 million in annual wages. The following facts are taken from the tables shown at Appendix 1.
42. There are 1,212 total weekly opening hours, with 117 hours (or 9.6%) threatened by the proposed 9pm liquor sales ban.
43. It should also be noted that these 11 supermarkets contribute nearly \$400,000 annually to community sponsorship, including alcohol management sponsorships such as the LIFE Education Trust, and the Newtown Community Patrol.

44. **Figure 1: Foodstuffs supermarkets in Wellington City.**

- The imposition of a blanket post 9pm supermarket liquor sales ban is an incorrect non-solution to the legitimate challenge of curbing binge drinking and pre-loading.
 - It will not achieve the desired outcome and greatly inconvenience the vast majority of responsible, hard-working consumers and ratepayers.
- For a city that promotes its sophistication, arts and culture, a 9pm supermarket liquor closure would clearly impact on its 'cool' reputation.

45. **Figure 2: 4% of total customer transactions occur after 9pm.**

- Of the almost 250,000 weekly transactions that take place in the 11 supermarkets, 11,143 (4.5%) take place after 9pm.
- 80% are groceries only.
- Fewer than 10% (<1000) of those post-9pm sales are alcohol only, across the whole city, across the entire week.

46. **Figure 3: Alcohol customer transactions by day and time of day.**

- 40% of Foodstuffs' alcohol sales occur on Friday and Saturday, but only 4% occur after 9pm.
- Most people, including those presumably pre-loading, have already bought their alcohol by this time, with peak purchasing between 4 – 7pm.
- Any argument that stopping supermarket alcohol sales at 9pm will prevent pre-loading is unsupported by hard evidence.

47. **Figure 4: New World customers tend to favour craft and premium beers, and premium wines.**

- It can be safely assumed that the more law abiding, sophisticated drinkers are not part of the target group.
- Drinking is an integrated, socialising part of their lives.

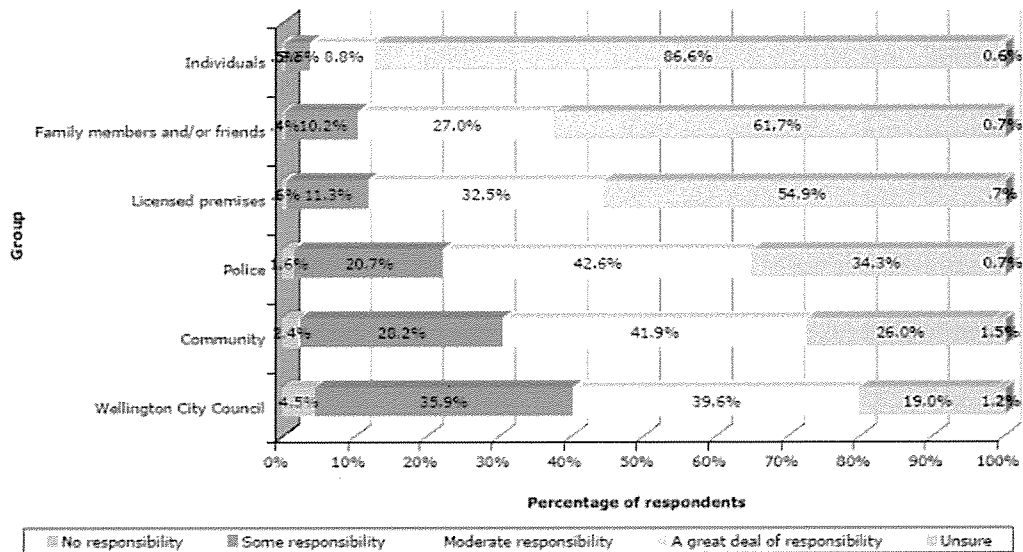
48. **Figure 5: 79% of post 9pm customers buy beer and wine from supermarkets.**
- 62% of customers in this survey are under 30.
 - 39% of the surveyed 1000 post 9pm customers normally shop at this time.
 - Alcohol purchasing later at night is a convenience and taste occasion – not an opportunity to pre-load.
49. **Figure 6: 71% of males under 30 purchase groceries only.**
- Almost 80% said they (occasionally) buy beer and wine at this time.
50. **Figure 7: 36% are last minute shoppers.**
- There are many valid reasons people shop after 9pm, including the fact that more than 1/3 of respondents work during the day.
 - Given that a majority (sometimes) purchase wine and/or beer at this time, its unavailability would be a major inconvenience.
51. **Figure 8: 58% of 1,000 Foodstuffs post 9pm customers disagree with proposed 9pm liquor close off.**
- Fewer than 1/3 agree with the proposal.
52. **Figure 9: Digital video snapshots recorded for all post 9pm customers.**
- The range and diversity of customers would tend to indicate that these are not party-people looking to pre-load.
 - Confidential video files could be provided to WCC.

The Coolest Little Capital – Reputation Under Threat

53. The proposed Local Alcohol Policy to restrict supermarket beer and wine sales after 9pm is likely to harm Wellington's reputation as the coolest little capital in the world.
54. Coolness is not a nanny-state or council attempting social engineering with a blunt instrument.

55. Coolness is not imposing a law without any supporting evidence of efficacy.
56. Coolness is not imposing restrictions on law abiding visitors and citizens enjoying hospitality, relaxation and occasions of their own choice at their own time.
57. Cleverness on the other hand is accurately targeting the problem; in this case binge drinking and its associated challenges, without a blanket smothering of others peoples' freedoms.
58. Whether promoting itself as cool, cultural or as the events centre of New Zealand, Wellington has a hard-won reputation as being sophisticated.
59. As Mayor Celia Wade-Brown commented in her report in the WCC's 2010-2011 Annual Report, 'The Lonely Planet travel guide confirmed what Wellingtonians already knew when it recognised Wellington as New Zealand's 'most innovative and inspiring city' and as the coolest little capital city in the world. She went onto say that it is Wellington's diversity advantage – people from all over New Zealand and from foreign shores – that gives Wellington its creative edge; an edge we celebrate in our culture, and capitalise on with our growing economy.
60. It is its individuals that provide the Capital's character, its edge.
61. The same individuals have indicated clearly in the Council's own survey that they believe it is a person's own responsibility in addressing harm related to excessive alcohol consumption, (Fig 27, 20 June 2013 report) and the Council has the *least* responsibility in addressing that same harm (see diagram overleaf).

Figure 27: Residents' views on responsibility for addressing harm related to excessive alcohol consumption



Source: 2012 Role of Alcohol survey of residents

62. As well as demonstrating some of the events and businesses that would be affected through a post 9pm ban on supermarket liquor sales, this report will clearly show that Wellington's coolness rating will drop as a result.
63. Wellington's tourism sector pulls in about \$1.4 billion a year into the regional economy, with 175,000 cruise ship passengers, 2.2 million visitor nights and 1.5 million Te Papa visitors.
64. The city also has:
 - World of Wearable Arts – attended by more than 47,000 people, with 30,000 out of town visitors,
 - International Festival of the Arts,
 - International Film Festival,
 - Rugby Sevens.

65. Conference tourism is also a major boost to our economy and a growing tourism market; according to Wikipedia, (<http://en.wikipedia.org/wiki/Wellington>) to the end of March 2011, conferences in Wellington involved nearly 800,000 delegate days.
66. These events illustrate that the Capital is regarded as a cosmopolitan destination, with the attendant sophistication of alcohol availability as seen in most overseas countries. This also means beer and wine being available at supermarket outlets up until a reasonably late hour.
67. Of particular note is WOW, with the vast majority of its attendees being women. There is much anecdotal evidence that many of these visitors enjoy being able to buy a bottle of wine from a supermarket to take back to their host accommodation, motel or hotel room for a collective chat and conviviality. It is these responsible, happy-to-spend visitors, and others, who will be most affected by a 9pm supermarket liquor sales ban.
68. The 'uncoolness' effect is by its nature, subjective. Visitors and local responsible residents may well have a different view to Councillors.
69. Equally, the Foodstuffs data shows that comparatively little alcohol is purchased after 9pm and is more often part of a wider grocery purchase when it is. Stopping customers being able to buy what they want, when they want is utterly anti the relationship building that all businesses aspire to.
70. As well as being anti-business, with the ability to impact on visitors and local citizens alike, Wellington City Council's proposed LAP has no evidence to show it will address the key issue of binge drinking.
71. As many media commentators have said, it won't change the drinking attitudes of those being targeted, but merely inconvenience a vast majority, as well as creating problematic management issues for supermarkets which are open after 9pm.

72. It is submitted that the post 9pm liquor sales ban for supermarkets is the opposite of cool.

Costs / Benefits of the Draft LAP for Christchurch : Application for Wellington

73. Much of the rationale for a Wellington City post 9pm ban on supermarket beer and wine sales have been subjective.
74. No evidence has been provided or proven that such a policy will target the issue – namely binge drinking by (mainly) young people.
75. The following points provide a proxy argument that, as would be the case in Christchurch, a post 9pm beer and wine supermarket sales ban will have little effect on the desired outcome.
76. The study was carried out by Covec’s Fraser Colegrave and Stephen Hoskins, and delivered on July 26, 2013. It analysed potential costs and benefits of the draft LAP adopting a comprehensive framework recently designed by the European Union to provide a standardised method for measuring the effects of alcohol-related policies.
77. The full 51 page document is available at:
<http://resources.ccc.govt.nz/files/TheCouncil/meetingsminutes/agendas/2013/July/LAP29JULY2013CostsandBenefitsofCCCDrafLAP-FinalReport.pdf>
78. It is assumed that a similar level of attitude and economic imperative based on cost/benefit principles applies to Wellington’s alcohol environment.
79. Covec’s take home message based on its analysis is that the **economic costs** of the draft Christchurch LAP **would outweigh the benefits**. (Emphasis added).
80. The report acknowledges international literature that shows that reduction in opening hours can help reduce alcohol related harm but that reductions caused by the LAP

will be minor and hence too will any reductions in alcohol related harm. As a result, policy benefits will be minor.

81. Covec identifies the key issue being that the policy fails to address the key drivers of acute harm, namely our binge drinking culture coupled with a tendency to pre-load.
82. As the Covec report states;
 - “There is no evidence to support or oppose the proposed off-licence restrictions. Further, council does not appear to have a strong community mandate for reducing the hours that alcohol can be sold at certain off-licences, such as supermarkets”,
 - “Because the policy does not (and essentially cannot) target problem drinkers, it is fairly blunt and therefore has the potential to negatively impact a number of law-abiding citizens”.
83. Covec states: “We therefore recommend that Council take the opportunity to re-examine its options before deciding whether or not to proceed with the LAP”. (Note: underlined by Covec).
84. Foodstuffs endorse a similar approach by the Wellington City Council.
85. A risk from Council’s point of view is that ratepayers, clearly aware that a post 9pm supermarket liquor sales ban is a non-solution to the legitimate challenge of curbing binge drinking, would be inconvenienced.

Our Supermarkets

86. Foodstuffs operates the PAK’nSAVE, New World and Four Square brands. All our stores are individually owned and operated. Foodstuffs is proudly New Zealand and has operated since 1922. Alcohol has been available for sale through our supermarkets since 1990. Our members therefore are fully familiar with the requirements of their liquor licences as well as the statutory regimes in force.

87. Our members are committed to supplying alcohol in a responsible manner and ensure this through; proper and on-going staff training, appropriate staff and customer supervision, rigorously enforced identification requirements, good relationships with the police and refusing to serve customers where staff have any doubt. As a consequence, our members have outstanding compliance records with liquor licencing requirements.
88. As stated earlier, Foodstuffs operates eleven supermarkets within the Wellington City Council region and a number of Four Square superettes. All our members have good relationships with their customers and the wider community alike. Examples of responsible corporate citizenship can be readily found amongst our members. At Wellington City New World, the operator has actively assisted police in turning the carpark area into a “liquor ban” area as defined by the Council. Notices to this effect are clearly displayed in the front windows of the store. At Thorndon New World, police are called if the occupants of a vehicle look intoxicated.
89. It is also important to note, that few of our supermarkets actually “close” for the night. Following closure to the public, supermarkets operate with stackers replenishing shelves, cleaners, bakers arriving at 4am, butchery staff also arriving early. Many of our stores (Wellington City included) employ security guards to protect staff which helps to generate a feeling of safety for members of the public as well.
90. Our sophisticated merchandising system also provides us with a still surveillance record in colour of every customer through our points of sale, further data is recorded against each transaction which includes, time, date, checkout, product purchase description and value as well as method of payment. Accordingly, we have the ability to identify every one of our customers.
91. Suffice to say, our members live in local communities. The eleven supermarkets in Wellington employ in excess of 1,600 people. We are equal opportunity employers

and ensure that our corporate citizenship is reflected in our employees. These supermarkets pay annual wages of \$48.7m to Wellingtonians and contribute nearly \$400,000 per annum in local community sponsorship programmes. This obviously excludes national sponsorship programmes such as New Zealand netball.

92. We are major suppliers of quality and affordable food and groceries to Wellingtonians, we are major employers of Wellingtonians, we are major sponsors of community programmes benefiting Wellingtonians, we live in the Wellington region and our children attend local schools. In recognising this, you must also recognise that we are major contributors to the economic stability of Wellington.

Conclusion

93. It is submitted that having regard to all the factors raised in these submissions, that the Council should be guided by Parliament and set the off-licence trading hours for alcohol as being between 7am to 11pm. You will note, that this is still a restriction in hours for some of our stores within the Wellington City Council boundaries.
94. It is submitted that there is a marked distinction between regulating and over-regulating. Whilst it is admirable that the Council is wanting to address the issues of alcohol related harm, other identified strategies, such as establishing a Capital Hosts group for off-licences, working with the Health Promotion Agency and industry organisations on social marketing campaigns, widening and strengthening the Central City Liquor ban and encouraging better practices for identifying intoxicated persons entering major events; are far more likely to achieve the Council's strategic goal, and will help socially engineer the mindset of irresponsible alcohol consumers that their behaviour is both undesirable and detrimental.
95. Working with people, imposing consequences for bad behavior and educating the more vulnerable, will provide far reaching long term social and health benefits as opposed to simply preventing an off-licence purchase after 9pm.

"Understanding the question is half an answer"; Socrates, Essential Thinkers.

APPENDIX 1

Figure 1

Foodstuffs' supermarkets in Wellington City

Total weekly opening hours – 1,212	Hours under threat – 103 (8.4%)
Total employees – 1,600 +	Customer transactions post 9pm per week – 11,143
Annual wages – \$48.7 Million	Annual community sponsorship – \$396,000

Owner operated stores












				Hours under threat
 NEW WORLD	Churton Park	Kevin and Jan Phelan	Daily 7am–10pm	Daily 9pm–10pm
 NEW WORLD	Island Bay	Tim and Anna Carmichael	Daily 7am–10pm	Daily 9pm–10pm
 NEW WORLD	Miramar	Paul and Joe Vegar	Daily 7am–10pm	Daily 9pm–10pm
 NEW WORLD	Newlands	Ross and Donna Jordan	Daily 7am–10pm	Daily 9pm–10pm
 NEW WORLD	Newtown	Donald Chung	Daily 7am–10pm	Daily 9pm–10pm
 NEW WORLD	Railway Metro	Karl and Caroline Marryatt	Mon–Sat 6am–10pm, Sun 7am–8pm	Mon–Sat 9pm–10pm
 NEW WORLD	Tawa	Neil and Robyn Hogg	Daily 6am–10pm	Daily 9pm–10pm
 NEW WORLD	Thorndon	Brian Drake	Daily 7am–11pm	Daily 9pm–11pm
 NEW WORLD	Wellington City	Gary Baker	Daily 7am–12am	Daily 9pm–12am
 NEW WORLD	Metro Willis Street	Richard Taggart	Mon–Fri 7am–11pm, Sat 8am–11pm, Sun 8am–10pm	Mon–Sat 9pm–11pm, Sun 9pm–10pm
 PAK'nSAVE	Kilbirnie	Dean Galt	Daily 6am–12am	Daily 9pm–12am

Figure 2

4% of total customer transactions occur after 9pm

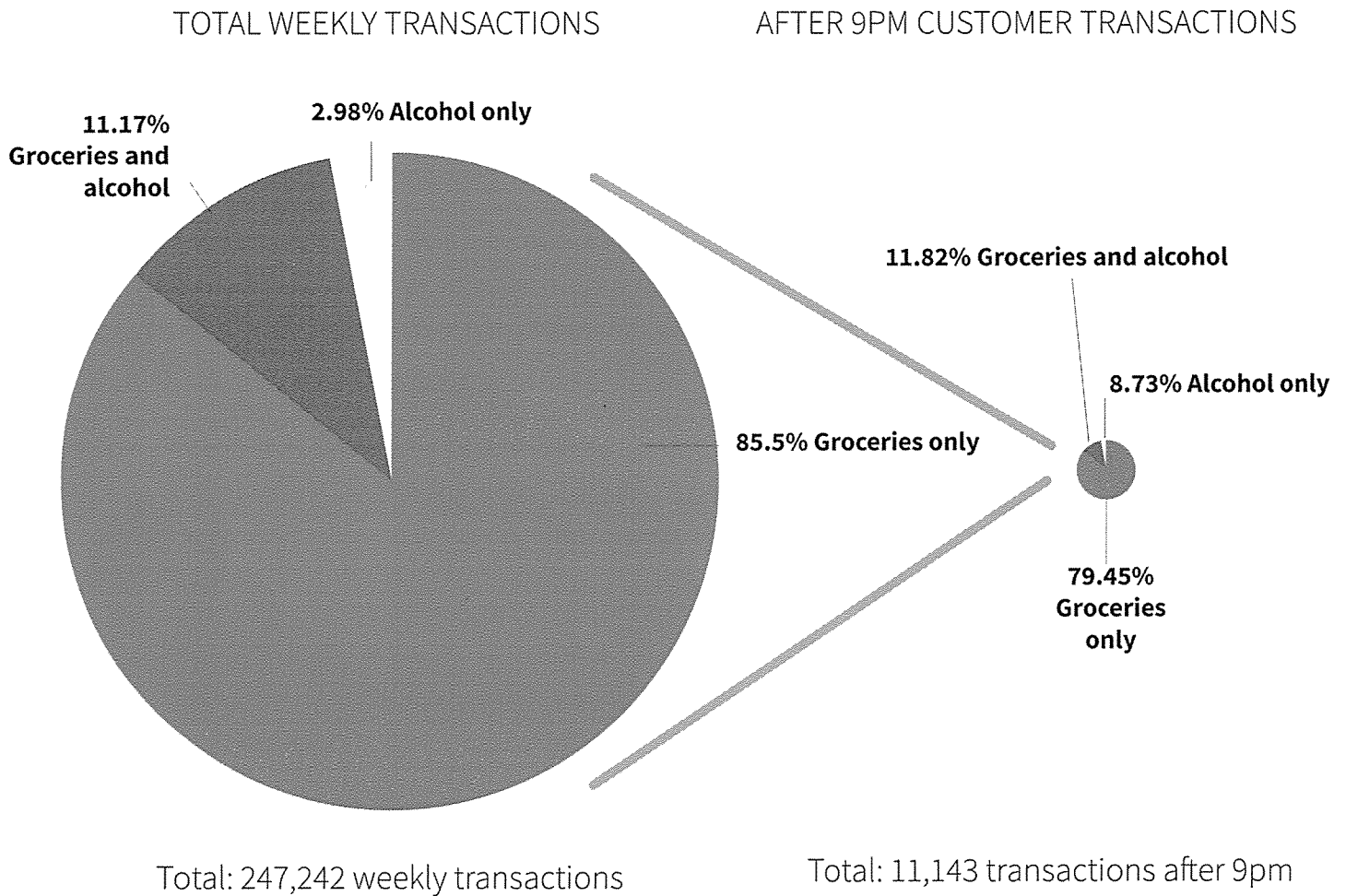
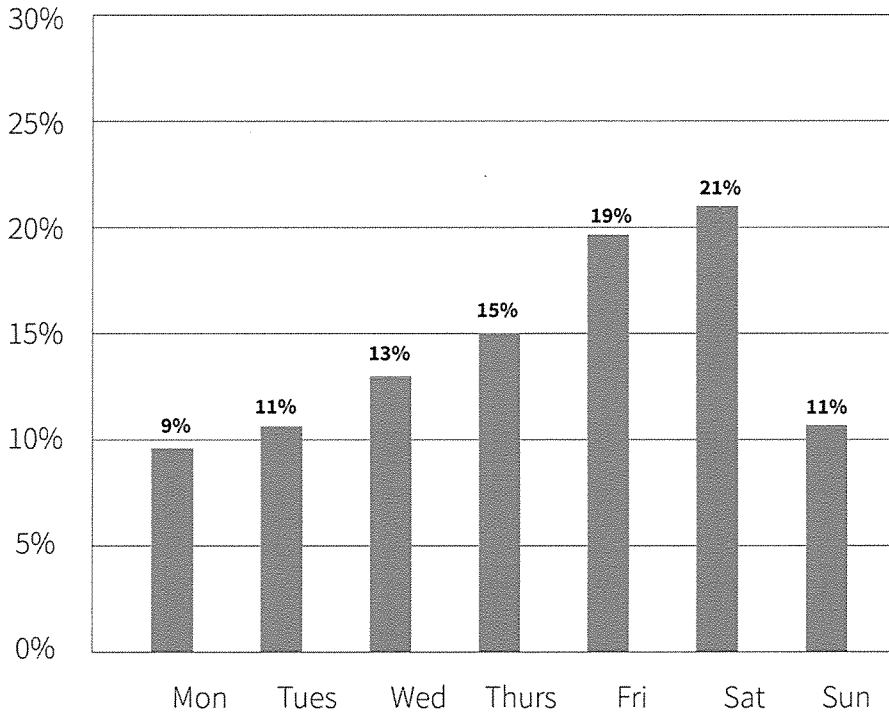


Figure 3

Alcohol customer transactions by day and time of day

ALCOHOL CUSTOMER TRANSACTIONS PEAK ON FRIDAYS AND SATURDAYS



ALCOHOL CUSTOMER TRANSACTIONS PEAK FROM 4PM TO 7PM

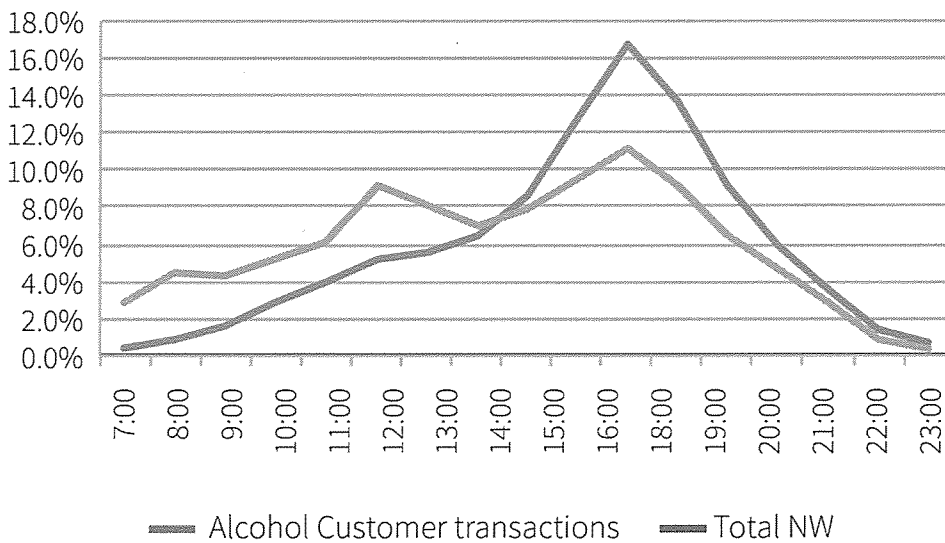
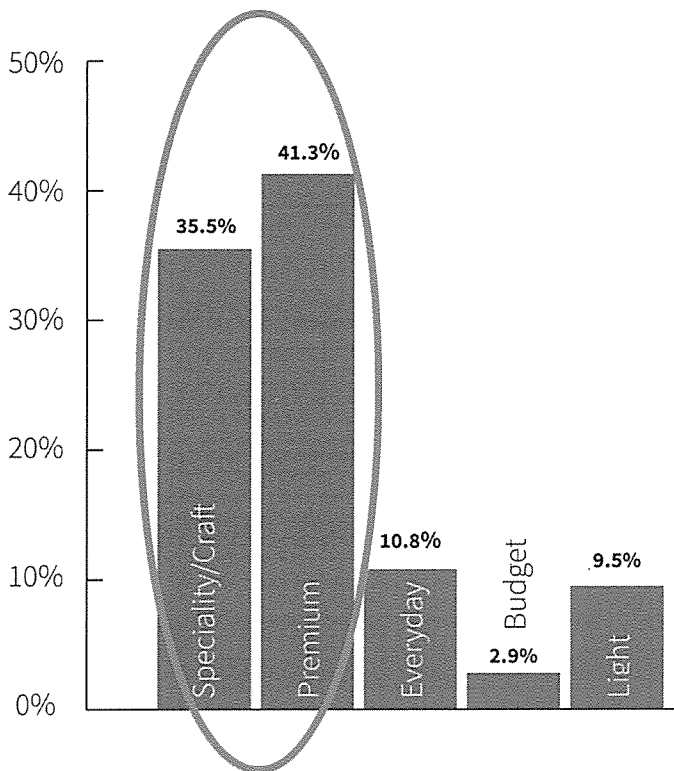


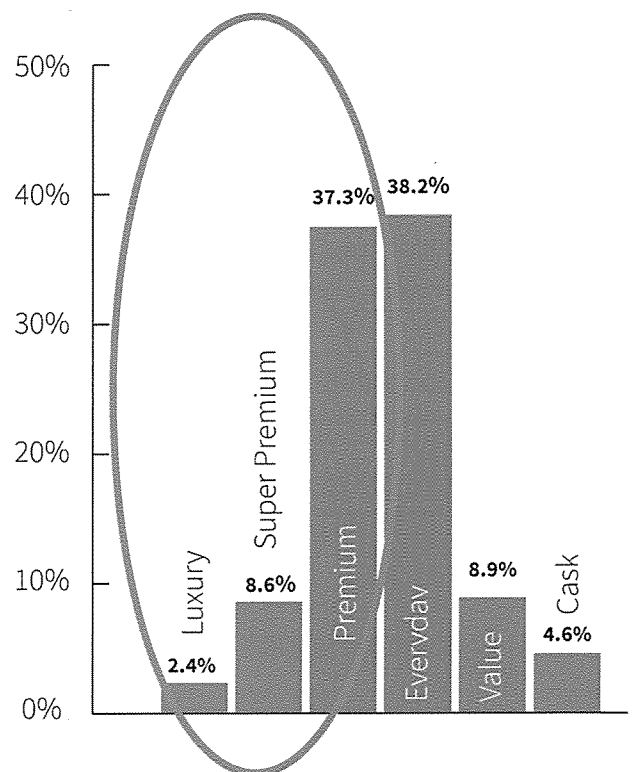
Figure 4

New World customers tend to favour craft and premium beers, and premium wines

BEER CUSTOMER TRANSACTIONS BY VALUE SEGMENT



WINE CUSTOMER TRANSACTIONS BY VALUE SEGMENT



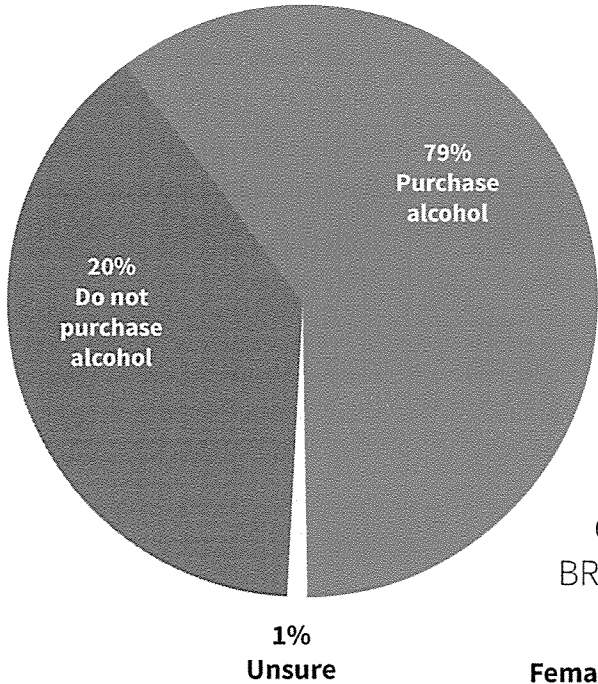
Share of everyday and budget beer, and value and cask wine is low.

Figure 5

Curia Store Exit Survey of 1,000 post 9pm customers

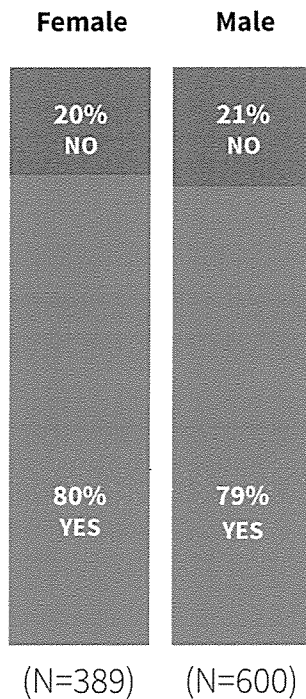
79% buy beer and wine from supermarkets

62% of customers aged under 30

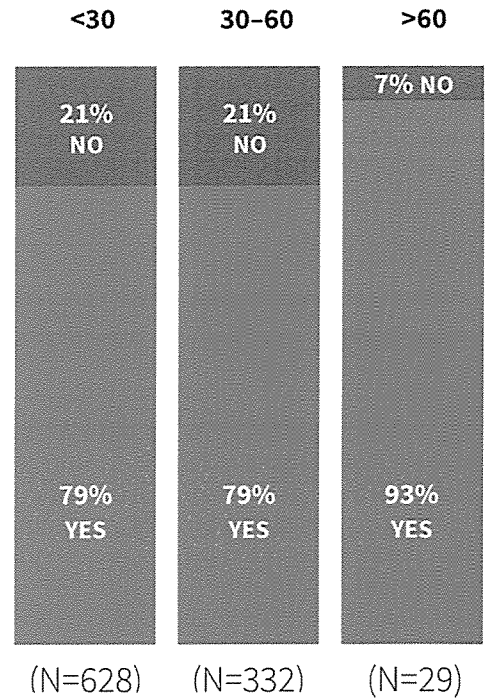


CUSTOMERS BUYING WINE/BEER AFTER 9PM (N=1,000)

GENDER BREAKDOWN



AGE BREAKDOWN



39% normally shop at this time

Figure 6

Curia Store Exit Survey of 1,000 post 9pm customers
71% of males under 30 purchase groceries only

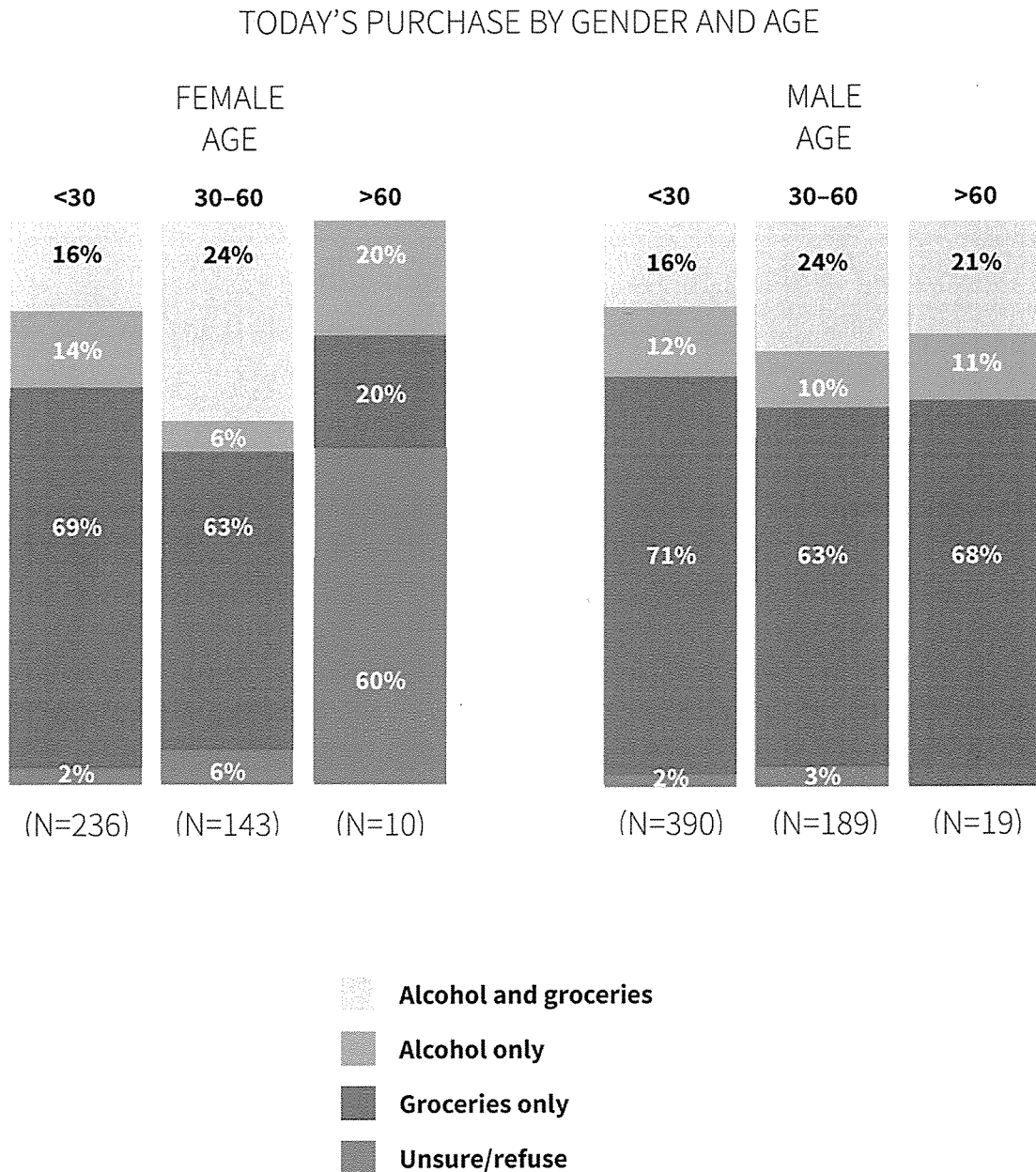
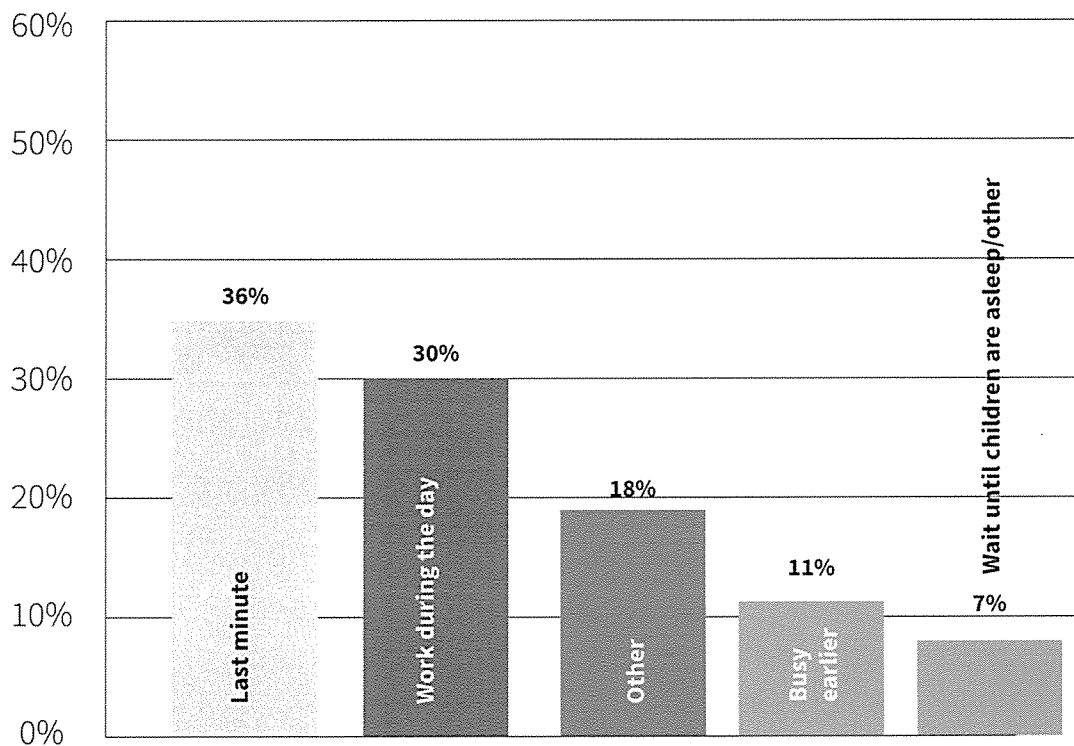


Figure 7

Curia Store Exit Survey of 1,000 post 9pm customers 36% are last-minute shoppers

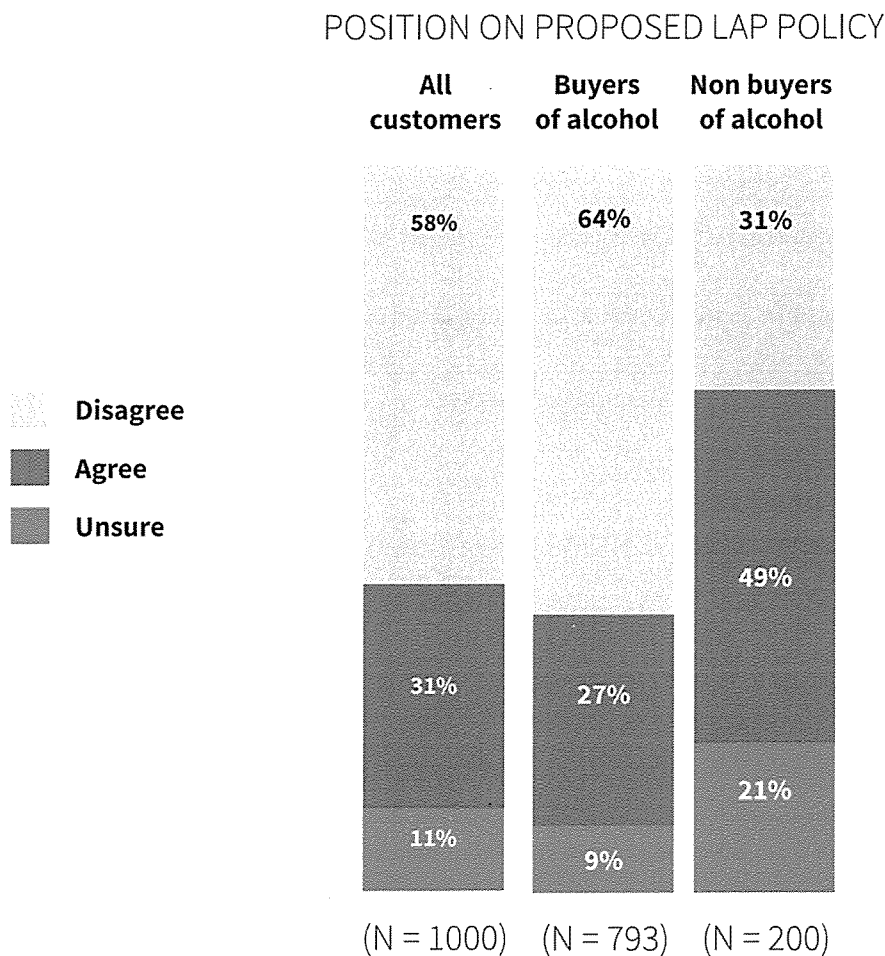


Sample of 1,000 Foodstuffs Wellington supermarket customers.
Many commented they shopped at that time because there were less queues.

Figure 8

Curia Store Exit Survey of 1,000 post 9pm customers

58% of customers disagree with proposed 9pm close off




While a higher % of non-alcohol buyers agree with the proposed policy they are only 20% of the customer base at this time of day.

Figure 9

Post 9pm customers and their transactions

Digital video snapshots recorded for all supermarket customers*

Digital Video Snapshot
Site: NW Wellington-PDA camera
Camera Group: Checkouts
Camera Name: Chk 16
05/07/2013 9:49:19 pm (New Zealand Standard Time)



Capture Size: 352 x 258 pixels
Device Network Name: NWWELL1-DVR1
Device Serial Number: GS0759C103
Device Station ID: 811

Transaction Record:

STORE: 1450	TERMINAL: 16
TRANSACTION 2327	OPERATOR: 121
TYPE: SALE	
TERNOALE GRUYERE	
841483208827	7.82
MILK VINTAGE CHS 5	
7414832140028	10.07
PAKES MILK STANGA	
941507708800	7.47
1447581181014	
9418581181014	1.00
STILAKS SAUV BLAN	
9415518159183	9.89
PUMP 720ml	
930624025123	7.89
TOTAL	43.29
TENDER CREDIT	53.29
CARD NUMBER	

05/07/2013 9:49:17 P.M.



* Confidential material based on video files could be made available to WCC

HOW WE MANAGE ALCOHOL IN WELLINGTON SUBMISSION FORM



I wish to discuss the main points in my written submission at a hearing, to be held in early August 2013 (note oral submissions are given five minutes for individuals and 10 minutes for organisations).

I am completing this submission:

On my own behalf On behalf of a group or organisation

If you are representing a group or organisation, how many people do you represent?

Your name Bernie Bennett

Organisation name (if applicable)

Organisation role (if applicable)

Contact address 5040 Central Park

Post code

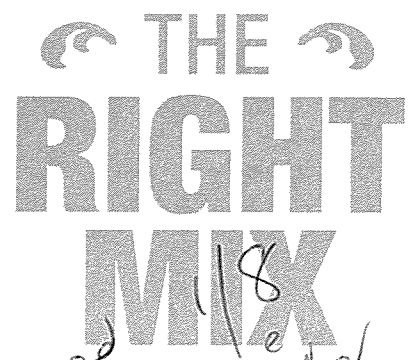
Phone number (day) 021 155 8743 Phone number (evening)

Email (if applicable)

Signature Bernie Bennett Date 31/7/2013

Privacy statement

All submissions (including name and contact details) are published and made available to elected members of the Council and the public. Personal information supplied will be used for the administration and reporting back to elected members of the Council and the public as part of the consultation process. All information collected will be held by Wellington City Council, 101 Wakefield Street, Wellington. Submitters have the right to access and correct personal information.



*Proved
post printed*

DRAFT LOCAL ALCOHOL POLICY

1. Please indicate your level of satisfaction with the following provisions in the draft LAP.

*If you disagree, please tell us what you would like the provision to be changed to.

1a. Under the proposed zone framework, late-night trading activity of bars and entertainment venues will be moved into a specific Entertainment Precinct to better manage the harm associated with trading at this time.

The proposed Entertainment Precinct boundaries are Courtenay Place (Kent Terrace) to Cuba Street (Abel Smith Street).

(section 9 of the draft LAP)

Creating an Entertainment Precinct: (please tick one only)

Strongly agree Agree Disagree Strongly disagree Don't know

Please give reasons:

.....

.....

.....

.....

.....

1b. The proposed risk-based management framework reviews the suitability of all elements of the activity in relation to its impacts on the community, and provides a risk classification.

This classification will influence the licence fees charged by the Council and the types of conditions that may be applied to the licence. The lower the risk, the lower the fees charged by the Council and the fewer restrictions applied to the licence.

(section 8 of the draft LAP)

Risk-based management framework (please tick one only)

Strongly agree Agree Disagree Strongly disagree Don't know

Please give reasons:

.....

.....

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.....

.....

1c. The proposed maximum trading-hour restrictions for on-licensed venues (bars, restaurants, cafés).

Entertainment Precinct

7am–3am

7am–5am maximum for best-practice premises

Central Area

7am–2am

7am–3am maximum for best-practice premises

Suburban Centre

7am–midnight maximum

(section 9 of the draft LAP)

Entertainment Precinct maximum trading-hour restrictions for on-licensed venues

(please tick one only)

Strongly agree Agree Disagree Strongly disagree Don't know

Central Area maximum trading-hour restrictions for on-licensed venues (please tick one only)

Strongly agree Agree Disagree Strongly disagree Don't know

Suburban Centre maximum trading-hour restrictions for on-licensed venues (please tick one only)

Strongly agree Agree Disagree Strongly disagree Don't know

Please give reasons:

1d. The proposed maximum trading-hour restrictions of 7am–9pm for off-licensed venues (supermarkets, grocery stores, bottle stores).

(section 9 of the draft LAP)

Maximum trading-hour restrictions of 7am–9pm for off-licensed venues

(please tick one only)

Strongly agree Agree Disagree Strongly disagree Don't know

Please give reasons:

.....

.....

.....

.....

1e. Supermarkets, grocery and bottle stores (all off-licence venues) should be treated the same despite the different range of products they sell.

- Supermarket and grocery stores can sell only beer and wine
- Bottle stores can sell beer, wine, spirits and RTDs (ready-to-drink mixes)

Treating all off-licence venues the same (please tick one only)

Strongly agree Agree Disagree Strongly disagree Don't know

Please give reasons:

.....

.....

.....

.....

1f. The Council will look closely at applications for the sale and supply of alcohol at youth-focused occasions or events, or those likely to attract people under the legal purchase age of 18 years.

(section 9 of the draft LAP)

Council focus on applications for youth-focused occasions or events (please tick one only)

Strongly agree Agree Disagree Strongly disagree Don't know

*** If you disagreed above, please give reasons**

.....

.....

.....

.....

1g. The policy identifies circumstances that would trigger a District Licensing Committee hearing to deal with issues of density and proximity of licensed premises.

(section 10 of the draft LAP)

The proposed circumstances that would trigger a District Licensing Committee hearing to deal with issues of density and proximity of licensed premises (please tick one only)

Strongly agree Agree Disagree Strongly disagree Don't know

* If you disagreed above, please give reasons

.....

.....

.....

.....

1h. The proposed discretionary conditions that could be applied to a licence.

(section 11 of the draft LAP)

The proposed discretionary conditions (please tick one only)

Strongly agree Agree Disagree Strongly disagree Don't know

Please give reasons:

.....

.....

.....

.....

2. Overall, do you agree with the direction of the draft Local Alcohol Policy? (please tick one only)

Strongly agree Agree Disagree Strongly disagree Don't know

Please give reasons:

.....

.....

.....

.....

Please be as specific as possible to help us understand your views. It is helpful if you clearly state the page(s) and/or section number(s) of the draft LAP you are commenting on.)

3. What are the best aspects of the draft Local Alcohol Policy?

4. What aspects of the draft Local Alcohol Policy do you think need to be changed?

5. Do you have any other comments either about the content of the draft Local Alcohol Policy or about other matters you want included in the policy?

DRAFT ALCOHOL MANAGEMENT STRATEGY

6. The proposed goals in the draft Alcohol Management Strategy are achievable (please tick one only)

- Strongly agree Agree Disagree Strongly disagree Don't know

Please give reasons:

7. The initiatives proposed in the Implementation Plan (attached to the draft strategy) will deliver on the strategic goals (please tick one only)

- Strongly agree Agree Disagree Strongly disagree Don't know

Please give reasons:

8. The initiatives proposed in the draft strategy will contribute to communities having a healthier relationship with alcohol (please tick one only)

- Strongly agree Agree Disagree Strongly disagree Don't know

Please give reasons:

You may add more pages if you wish. **Thank you for your submission.**

You don't have to complete this section, but this information helps us to know who we are reaching. We use this for statistical purposes only. It will not be made publicly available.

Your Gender

- Male Female

Your age

- Under 18 years 18–29 years 30–39 years
 40–49 years 50–59 years 60 years and over

Your ethnicity

- New Zealand European Māori Samoan
 Cook Island Tongan Niuean
 Indian Chinese Other

fold here first

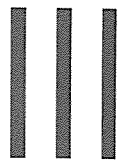
**Fold, fasten and post this form to the Wellington City Council
using the Freepost address below**

fold here second

Freepost Authority No 2199



PO Box 2199, Wellington 6140, New Zealand



Freepost 2199
The Right Mix
Wellington City Council
PO Box 2199
Wellington 6011

SUBMISSION TO THE DRAFT WELLINGTON LOCAL ALCOHOL POLICY (LAP)

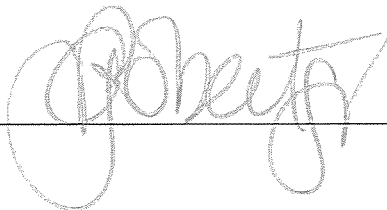
Submitter Details:

Name: The Mill Retail Holdings Ltd
Agent: Hospitality Licensing Ltd
Postal Address: P O Box 681
Oneroa
Waiheke Island
Contact: Georgie Robertson
Phone: 09-372-6107
Mobile: 021-611-844
Email: georgie@LicenceMe.co.nz

I ~~do/do not~~ wish to be heard at the committee of the full Council.

I request my written submission be considered by the full Council.

Signed:



Date:

2/8/13

Background

As announced to the market in late May, Independent Liquor NZ, via its new subsidiary The Mill Retail Holdings, is in the process of buying the existing business of The Mill Liquorsave Limited. This submission is being lodged on behalf of The Mill retail business. Independent Liquor NZ reserves the right to lodge separate submissions to the various regional LAP processes.

Definitions

We seek the inclusion of the following:

"New Licence A new licence for premises that have previously been unlicensed"

The aim of this is to remove any ambiguity with the intention of the LAP.

The Council is aware that when licensed premises change hands a 'new' licence must be applied for. It is therefore imperative that these existing licensed premises are not disadvantaged, and have the ability to sell their businesses with the safety that the existing terms and conditions of licence can be maintained.

This is in keeping with the provisions in SSAA in terms of public objections for existing licensed premises.¹

We seek the inclusion of a reference to other default definitions as set out in section 5 of the Sale & Supply of Alcohol Act 2012.

Hours for Off-Licenses

1. The draft LAP states trading hours of:

Monday to Sunday 7am to 9pm

We **disagree** with these proposed hours.

We seek hours until 10pm on a nightly basis.

2. We wish the following to be included in this section:

"The maximum trading hours will apply to all forms of off-licenses. This includes bottle stores, grocery stores, and supermarkets."

This will ensure that no new or existing off-licence holder will be put at a commercial disadvantage in terms of operating hours.² It offers a fair playing field for all operators and is considered to be a consistent and appropriate approach to be taken by Council.

¹ SSAA Section 102(4) – A public objection can only be made on suitability when the applicant applies for the same terms and conditions of a licence already in force.

² [2011] NZ LLA PH 244 Para 10.

Density

It is proposed that all new and renewal applications deemed to be for high risk premises located within the Entertainment Precinct or Southern Zone be automatically required to be determined at DLC hearing in regards to density.

We **disagree** with this proposal.

This has the potential to punish existing licence holders for being located in an area where there are other similar businesses. We submit that this should not apply to renewal applications, unless there are other circumstances that would warrant the application to be determined at a DLC hearing.

It opens the door for a 'sinking lid' policy to be applied by the DLC. It is important to all licence holders to have the ability to sell their businesses as a going concern, and for density provisions to be applied for new premises only.

It is our submission that this should be amended to read for new applications for premises that have not previously been licensed.

Proximity to Sensitive Locations

1. It is proposed that all new and renewal applications deemed to be for high risk premises located within Southern Zone and found to be within close proximity to sensitive locations or another licensed premise be automatically required to be determined at DLC hearing.

We **disagree** with this proposal.

Again, this has the potential to punish existing licence holders for being located in an area where there are other similar businesses. We submit that this should not apply to renewal applications, unless there are other circumstances that would warrant the application to be determined at a DLC hearing.

It opens the door for a 'sinking lid' policy to be applied by the DLC. It is important to all licence holders to have the ability to sell their businesses as a going concern, and for density provisions to be applied for new premises only.

It is our submission that this should be amended to read for new applications for premises that have not previously been licensed.

2. It is proposed that all new and renewal applications for any premises located adjacent to or neighbouring a sensitive location is automatically required to be determined at DLC hearing.

We **disagree** with this proposal.

It is our submission that this should only apply to new licenses for premises that have not previously been licensed.

It does not take into account that the two premises could have been harmoniously side by side for any number of years. This should only apply to renewal applications if there are other factors that warrant a hearing before the DLC.

3. It is proposed that all new and renewal applications deemed to be for high risk premises located within the Entertainment Precinct be automatically required to be determined at DLC hearing.

We **disagree** with this proposal.

Again, this has the potential to punish existing licence holders for being located in an area where there are other like businesses. We submit that this should not apply to renewal applications, unless there are other circumstances that would warrant the application to be determined at a DLC hearing.

It opens the door for a 'sinking lid' policy to be applied by the DLC. It is important to all licence holders to have the ability to sell their businesses as a going concern, and for density provisions to be applied for new premises only.

It is our submission that this should be amended to read for new applications for premises that have not previously been licensed.

Conditions of Licence

The draft Policy has listed many discretionary conditions of licence. It is unclear which of these would apply to off-licence premises and which to on-licence premises.

It is our preferred option that the Policy clearly states which of the discretionary conditions could apply to off-licensed premises. Specifically, we would seek that only the following discretionary conditions applying to any off-licensed premises in any zone or precinct:

1. More or less restrictive trading hours (within defined maximum limits) relative to the proposed location and risk classification of the operation.
2. More restrictive trading hours taking into account neighbouring land use.
3. The licensee will ensure that operation of closed-circuit TV of a quality and at a location that will help to identify alcohol-related offending.

We **agree** with this proposal to the point that CCTV should be for the interior of the premises, on the entry to the premises and on the footpath immediately in front of the licensed premises.

4. The licensee is required to notify the Police of any violent incidents that occur on the premises.
5. The licensee is required to maintain a register of incidents that is available for inspection by enforcement authorities at any time during trading hours
6. Before closing the premises, the licensee will ensure all litter is removed from outside the premises in the area defined as:XXX

We **disagree** with this applying to any off-licensed premise in its current format.

We would agree with a condition for off-licensed premises that litter would be removed during daylight hours and prior to opening.

7. Licensee is required to provide effective exterior lighting.
8. Supervised designation for all bottle stores to ensure unaccompanied minors do not enter the premises.

Conditions of Licence – Entertainment Precinct

The draft Policy has listed many conditions to potentially apply to any off-licensed premises in the Entertainment Precinct.

We **disagree** with this proposal.

Discretionary conditions of off-licenses should remain as listed above regardless of precincts or zones.

Irresponsible Promotions

The draft Policy as worded is inconsistent with Section 237 of SSAA. This section must be specific. Various promotions such as discounts of 25% or more can be displayed but only so as to be seen from the *interior* of the premises.

We **disagree** with this proposal in its currently worded format.

Community Involvement - Notification

The draft Policy has stated that the site notification be A3 in size and displayed for a period not less than seven days.

We **disagree** with this proposal.

An A3 size notice is excessive in size. The standard around the country has been for an A4 size site notification, and that it is displayed for the objection period.

We seek the notice remain at A4 size and be displayed for fifteen working days from the date of the first publication in the newspaper.

Temporary Authority

The draft Policy has stated that a condition of temporary authority will be that an appropriate licence application is made within 15 working days of having the temporary authority granted.

We **disagree** with this proposal.

We understand the reasoning behind the proposed condition, however situations will and do regularly arise that result in delays with lodging substantive licence applications.

The Agency will now be requiring a substantial amount of information to be provided with the licence application. It may not be possible for any applicant to provide some parts such as noise reports in this time frame.

It is normal for any business purchase to be conditional upon a temporary authority issuing. Possession dates could well be some weeks after the temporary authority issues. Any number of delays could be faced before a purchaser would go unconditional on a business. In situations such as that, no purchaser would apply for a substantive licence without the certainty of the purchase proceeding.

SUBMISSION No. **218**

INDEPENDENT LIQUOR (NZ) LTD

**SUBMISSION ON THE
DRAFT WELLINGTON
LOCAL ALCOHOL POLICY**

(July 2013)

Introduction

Independent Liquor NZ Ltd

8/15
Independent Liquor NZ Ltd is a multibrand liquor company with its headquarters in Papakura. It is the number one player in Ready to Drink (RTD) beverages, number two in spirits and liquors combined and number three in beer. With the recent acquisition of The Mill Liquors bottle store chain, which has an outlet in Wellington, Independent Liquor employs over 500 staff across the country and is also a significant exporter. Independent Liquor is part of Asahi Group Holdings Ltd.

Independent Liquor's beverages are sold through a wide range of off licence premises throughout the Wellington district. As well Independent Liquor NZ beers are sold in supermarkets, bars and restaurants.

Striking a balance

Independent Liquor NZ wholeheartedly supports the development of a Wellington Local Alcohol Policy (LAP) and the sensible actions taken to ensure that the sale, supply and consumption of alcohol be undertaken safely and responsibly.

At the same time we are keen to remind the Council that the first quoted objective of the LAP is to

'reflect the views of local communities as to the appropriate location, number, hours and conditions that should apply to licenced premises within their communities'.

The Council needs to ensure that the rules it sets don't penalise the vast majority who don't behave badly. Tougher rules should be targeted where they will make a difference not make buying or consuming alcohol much harder for those who cause no harm.

Specific Issues

Independent Liquor NZ would like to focus specifically on just four of the policy areas noted in the draft LAP. These are:

1. Trading Hours.
2. Special Licences and Discretionary conditions.
3. Density
4. Proximity

Trading hours for off-licenced premises

The draft LAP proposes moving from the default option of 7am - 11pm to 7am – 9pm.

We remain very sceptical that this move will actually reduce harm as past experience around the world indicated that consumers will shift their purchasing times and probably the overall consumption levels will not change. As the Police have noted themselves, the majority of offending relating to alcohol occurs in the early hours of the morning in weekends. This is well past when off licence premises have already closed.

At the same time ordinary New Zealanders, wanting to perhaps buy a beer or a bottle of wine on their way home at night, or early in the morning on the way out will be inconvenienced. Does New Zealand really want to return to the era when we have to cover up alcohol with a tarpaulin at certain times of the day?

For these reasons, we still support the default option of 7am – 11pm as operating now but would not be uncomfortable with a 10pm limit.

If however the Council decided on restricted hours then it is vital that these apply across the board. Our core business is RTD's and these cannot be sold through supermarkets. Allowing a policy which allowed low priced but high strength wines (13% ABV on average) to be sold in supermarkets until 11pm when a more expensive and lower strength (7% ABV on average) RTD sales outlet has to shut at 9pm ,would be manifestly unfair.

Special Licences and Discretionary conditions

The draft Policy has listed many discretionary conditions of licence. It is unclear which of these would apply to off-licence premises and which to on-licence premises.

It is our preferred option that the Policy clearly states which of the discretionary conditions could apply to off-licensed premises. Specifically, we would seek that only the following discretionary conditions applying to any off-licensed premises in any zone or precinct:

1. More or less restrictive trading hours (within defined maximum limits) relative to the proposed location and risk classification of the operation.
2. More restrictive trading hours taking into account neighbouring land use.
3. The licensee will ensure that operation of closed-circuit TV of a quality and at a location that will help to identify alcohol-related offending.

We agree with this proposal to the point that CCTV should be for the interior of the premises, on the entry to the premises and on the footpath immediately in front of the licensed premises.

4. The licensee is required to notify the Police of any violent incidents that occur on the premises.
5. The licensee is required to maintain a register of incidents that is available for inspection by enforcement authorities at any time during trading hours

6. Before closing the premises, the licensee will ensure all litter is removed from outside the premises in the area defined as:XXX

We **disagree** with this applying to any off-licensed premise in its current format.

We would agree with a condition for off-licensed premises that litter would be removed during daylight hours and prior to opening.

7. Licensee is required to provide effective exterior lighting.
8. Supervised designation for all bottle stores to ensure unaccompanied minors do not enter the premises.

Conditions of Licence – Entertainment Precinct

The draft Policy has listed many conditions to potentially apply to any off-licensed premises in the Entertainment Precinct.

We **disagree** with this proposal.

Discretionary conditions of off-licenses should remain as listed above regardless of precincts or zones.

Density

It is proposed that all new and renewal applications deemed to be for high risk premises located within the Entertainment Precinct or Southern Zone be automatically required to be determined at DLC hearing in regards to density.

We disagree with this proposal.

This has the potential to punish existing licence holders for being located in an area where there are other similar businesses. We submit that this should not apply to renewal applications, unless there are other circumstances that would warrant the application to be determined at a DLC hearing.

It opens the door for a 'sinking lid' policy to be applied by the DLC. It is important to all licence holders to have the ability to sell their businesses as a going concern, and for density provisions to be applied for new premises only.

It is our submission that this should be amended to read for new applications for premises that have not previously been licensed.

Proximity

1. It is proposed that all new and renewal applications deemed to be for high risk premises located within Southern Zone and found to be within close proximity to sensitive locations or another licensed premise be automatically required to be determined at DLC hearing.

We **disagree** with this proposal.

Again, this has the potential to punish existing licence holders for being located in an area where there are other similar businesses. We submit that this should not apply to renewal applications, unless there are other circumstances that would warrant the application to be determined at a DLC hearing.

It opens the door for a 'sinking lid' policy to be applied by the DLC. It is important to all licence holders to have the ability to sell their businesses as a going concern, and for density provisions to be applied for new premises only.

It is our submission that this should be amended to read for new applications for premises that have not previously been licensed.

2. It is proposed that all new and renewal applications for any premises located adjacent to or neighbouring a sensitive location is automatically required to be determined at DLC hearing.

We **disagree** with this proposal.

It is our submission that this should only apply to new licenses for premises that have not previously been licensed.

It does not take into account that the two premises could have been harmoniously side by side for any number of years. This should only apply to renewal applications if there are other factors that warrant a hearing before the DLC.

3. It is proposed that all new and renewal applications deemed to be for high risk premises located within the Entertainment Precinct be automatically required to be determined at DLC hearing.

We **disagree** with this proposal.

Again, this has the potential to punish existing licence holders for being located in an area where there are other like businesses. We submit that this should not apply to renewal applications, unless there are other circumstances that would warrant the application to be determined at a DLC hearing.

It opens the door for a 'sinking lid' policy to be applied by the DLC. It is important to all licence holders to have the ability to sell their businesses as a going concern, and for density provisions to be applied for new premises only.

It is our submission that this should be amended to read for new applications for premises that have not previously been licensed.

Thank you for the opportunity to submit.

Yours Sincerely



Julian Davidson
General Manager NZ
Independent Liquor (NZ) Ltd

SUBMISSION No.
317

Online Submissions to Wellington City Council's Draft LAP

Submitters Name:	Contact Address:	Email Address:	Phone Numbers:	
Palwinder Singh	34 Constable Street, Newtown	palwinder@bigbarrel.co.nz	21355766	I wish to discuss the main points of my submission at a hearing.

<p>Do you think that a designated Entertainment Precinct with later hours than the rest of the City CBD:</p>				
<p>Do you think that the Council should designate a specific Entertainment Precinct with later hours than the rest of the City CBD?</p>	<p>No</p>	<p>Yes</p>	<p>Yes</p>	
	<p>Is anti-competitive?</p>	<p>Yes</p>	<p>Yes</p>	
	<p>Will limit the evolution of the city's growth by limiting later trading to one designated area?</p>	<p>Yes</p>	<p>Yes</p>	
	<p>Will result in higher rents and increased costs for the bar / cafes / restaurants in the Entertainment Precinct?</p>	<p>Yes</p>	<p>Yes</p>	
				<p>Comments:</p>

<p>The proposed trading hours in the Entertainment Precinct for On-licenses (bars, nightclubs restaurants) are 7am-3am (7am- 5am for best-practice premises). What do you think the latest trading hour in the Entertainment Precinct should be (if one is created)?</p>	<p>Outside of the Entertainment Precinct in the City CBD the proposed trading hours for On-licenses (bars, nightclubs, restaurants) are 7am-2am (7am-3am for best-practice premises). What do you think the latest trading hour in the City CBD should be?</p>
<p>Response</p>	<p>Comments:</p>
<p>3:00:00 a.m.</p>	<p>Response</p> <p>2:00:00 a.m.</p> <p>Comments:</p>

<p>In Suburban Centres the proposed trading hours for On-licenses (bars, nightclubs, restaurants) are 7am-midnight. What do you think the maximum trading hour in Suburban Centres should be?</p>	<p>The policy proposes a 'wind down hour' protocol for premises open after 2am, whereby the lighting is turned up, the music turned down, and during this last hour the premises is open you could not purchase a drink (this in effect results in a closing time of an hour earlier than the licensed hour for the premises). Do you think this should be compulsory for all premises that are open after 2am?</p>
<p>Response</p>	<p>Response</p>
<p>1:00:00 a.m.</p>	<p>Comments:</p>
	<p>Comments:</p>

The Council are proposing the following conditions could be imposed on a licensed premise. Do you agree? Please select Yes or No for each proposed condition.

Yes	A 'one way door' after a set time whereby no one else is allowed into the premises but those inside may remain	A limit on the number of drinks sold in any one transaction after a certain time	A minimum number of security staff set by the Council	Compulsorily dedicated staff to manage all queues	A minimum number of Duty Managers	Premises to pick up litter within a certain area	Security staff to wear High Viz Vests	No glass drinking vessels permitted in any outside area past a certain time	All outside temporary furniture to be removed after a certain time	No loudspeaker, amplifier, or other audio equipment outside the premises.	Compulsorily CCTV	Comments:
Yes		Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	

Do you think the safety and vibrancy of the City Centre would be enhanced by the following?																			
									Comments:										
Better public transport options at night	Yes	More lighting in the CBD	Yes	More CCTV cameras in public spaces	Yes	More street entertainment	Yes	More food trucks late at night	Yes	A chill out zone with water, food, transport information, medical assistance	Yes	More enforcement of liquor bans	Yes	An instant fine for being intoxicated and/or being a nuisance in a public place	Yes	A trespass from the city centre for 90 days if caught	Yes	Greater Police presence	Yes

<p>The proposed trading hours for Off-premises (supermarkets and bottle stores) are 7am-9pm. What do you think the maximum trading hours for Off-premises should be?</p>		<p>Do you think that supermarkets should have the same trading hours as other Off-premise venues such as bottle stores?</p>	
<p>Response</p>	<p>Response</p>	<p>Comments:</p>	<p>Comments:</p>
<p>10:00:00 p.m.</p>	<p>Yes</p>		

Overall, do you agree with the direction of the draft Local Alcohol Policy?		
Response	Please give reasons:	Do you have any other comments either about the content of the draft Local Alcohol Policy or about other matters you want included in the policy?
Strongly Agree		Strongly agree with the need for changes but one must assure the changes wont impact unfairly on larger business community. We must assure changes are consistent for all licences of particular type. e.g All off licences should have same conditions. All on licenses have same apart from CBD zone with minor changes.

79 2.20pm 6/8
individual.

The Right Mix – submission by Ben Arnold (page 1 of 11)

Ben Arnold
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Wellington 6011

SUBMISSION No. 529

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The Right Mix

How We Manage Alcohol in Wellington

1 About This Submission

This is my submission to the Wellington City Council as part of its public consultation on alcohol management concluding in August 2013.

I am making this submission on my own behalf. My interest is as a long-time resident of Te Aro and as a customer of both off-licences and licensed venues in Wellington's central city.

I would like to supplement this written submission with an oral submission.

Please see section 9 for my answers to the survey questions.

2 Summary

If implemented, the Draft Alcohol Management Strategy will create a dangerous inner city after 5am. It will roll-back the convenient 24-hours culture that has been a key catalyst of the apartment boom of the last decades and could have wide effects on the inner city economy.

The Draft Alcohol Management Strategy seems to be a knee-jerk response to legislative change. Wellington City does not need to make drastic changes to our local polices simply because Central Government changed the legislative framework in which our policies operate.

All the statistical evidence, when looked at carefully, shows that the worst harm occurs between midnight and 2am. Between 5am and 6am, the number of alcohol-related offences is less than between 7pm and 8pm. The way harm statistics are presented in the Snapshot document is unfortunately extremely misleading. I explain the errors in detail in my submission.

In short, considering the vast numbers of people who flock to Courtenay Place on a Friday and Saturday night, Wellington is an extremely safe environment. Very little goes wrong and having bars open 24-hours keeps the city safe. We are being goaded by special interests, media exaggerations and a misunderstanding of the available statistics into a policy that will have a significant negative effect on the social and economic well-being of our central city.

3 Recommendation

The council should reject the proposed Draft Alcohol Management Strategy, at least as it applies to Wellington's inner city. Instead the council should implement a strategy similar to the status quo.

The current policy provides for licensed venues to shut progressively, but for a small number of venues to be continue operating until daytime (around 7am). This approach means that people are continually encouraged to go home but provides a safe social environment for those who want to continue their night until the city wakes up the next day. This is a responsible approach for a city like Wellington and creates the exciting nightlife vibe that Wellington is renowned for.

Off-licenses in the inner city should be granted for 11pm or midnight. After 11pm the streets start to get quite busy as people walk between bars. The later license should be restricted to best practice retailers where the pedestrian flow is small (like Liquor King) or carefully controlled like New World. There is no reason for New World not to be able to sell alcohol until it closes at midnight. After midnight the inner city is too chaotic for off-licenses to function responsibly.

There should not be a special entertainment precinct zone within the inner city. Bars like Bodgea and bars on Queens Wharf or Lambton Quay should operate under the same rules as bars on Cuba Street or Courtenay Place. The reality is that Queens Wharf currently does not have the customer base to operate late at night and if the customer base develops there is no good reason for the Council to disrupt the development of an alternate inner city nightlife scene.

4 What Wellington's actually like late at night

Part of the problem with this kind of issue is that a lot of the decision-makers and people making submissions get their impression from horror stories that are very much the exception. The media likes drama, so they will show you a clip of a girl being sick in the gutter, not the thousands of other people just having a good night.

A clip of late night revellers make look out of control if you're watching it out of context in the calm of your living room, but really it's just people being relaxed and happy and having fun.

4.1 Assaults are rare and minor

I go out maybe every second weekend. I've seen assaults in Wellington, but no more than about one a year and only very minor ones. There's two points to note about them: they don't come out of nowhere and they are over as quick as they begin because the crowd steps in to separate people. I say "they don't come out of nowhere" not to diminish assault but to highlight that it's rare for them to happen unless there is already an argument. If you are the kind of person who walks away from an argument, you're not the kind of person who's like to be assaulted.

4.2 What the very late hours are like

The reality is that people do generally moderate their drinking. They slow down as the night progresses. Town gets quieter, people go home. Those people who are still out may sit next to the same cocktail for hours as they chat to people and the ice slowly melts.

After 4am or 5am there's a kind of camaraderie among those who remain in the city. Social barriers break down. People from very different walks of life talk with each other in the few bars that remain open and generally act responsibly. For some people it's nice to have somewhere to go while they wait for public transport to start back up. For jet-lagged tourists, it's nice that they

don't have to sit in their hotel rooms getting bored. For hospitality workers it's nice to have somewhere to go after their own bar or restaurant has closed.

I firmly believe that the connections with random people in Wellington's entertainment district late at night is a big part of what causes this city to be so tolerant of diversity.

5 Reaction to the proposed strategy

5.1 Draft strategy will cause harm, not reduce it

The proposed Draft Alcohol Management Strategy presents a serious threat to the character of Wellington's inner city. At best the proposal will turn the clock back to a time before we became the coolest little capital in the world. At worst, the city could become a dangerous place for both residents and recreational users, which could lead over time to the formation of an inner city ghetto.

I explain the risk to the inner city further in section 7.

5.2 Draft strategy seems to be motivated by shaky analysis of statistics

The motivation for the proposals contained in the strategy is unclear. There is little hard evidence presented in the Alcohol Management Snapshot to suggest that alcohol sales cause any serious harm in Wellington's inner city. The Snapshot presents a lot of statistical data intended as evidence of harm, but much of the data does not stand up to any kind of scrutiny. At best invalid inferences are drawn from the data. At worst the presentation of the data is outright misleading.

At very least Council should not make moves to constrain the hours for alcohol sales in Wellington's inner city without some genuine evidence of a link between post-5am alcohol sales and significant harm. There is no such evidence in the Snapshot or the Risk-Based Licensing Fees Research and my personal experience with Wellington's drinking culture suggests that irresponsible drinking peaks in pre-drinking before midnight, well before the proposed closing times.

Closing bars earlier would have a negligible effect on alcohol consumption, but will increase crime and make the city much less safe.

I spell out some of the problems with the statistics in section 8.

5.3 Statistics actually show that worst alcohol-related harm happens between midnight and 2am

I eventually obtained the report that most of the harm statistics were derived from, the Risk-Based Licensing Fees Research report. This report was a lot more open about the methodological problems with the statistics reported in the Snapshot, especially the regression analysis that the Police argument rests on. It also contained a lot of other relevant data that hadn't been included in the Snapshot. I outline these statistics in section 6 of this submission.

5.4 Draft strategy fails to recognise that Wellington is now a 24-hour city

There are a large number of shops that are open past 5am including bars, clubs, cafés, convenience stores, kebab shops, a bakery, even McDonalds and Burger King. This has all

happened over the last few years as the resident population of the inner city has boomed. These two factors are self-reinforcing. People move into the city to get close to this 24-hour convenience.

Like it or not the late night consumption of alcohol lays the foundation for our city to be open all hours. The viability of many business would be put at risk by your proposed policy.

The description of Wellington's "city rhythm" in the Strategy document describes a "sleep, city regeneration" phase. This concept reveals a surprising lack of familiarity with modern-day Wellington. These days Wellington's late night phase slows down gradually until the cleaners come out just as the commercial sector kicks off at about 7am in the morning. There is no "sleep, regeneration" phase in the inner city, we all sleep at different times. We don't want to be sent to bed by people in the suburbs who think it's past our bedtime.

5.5 Draft strategy tries to overlap evening and late night activities

There's another misunderstanding in the city rhythm as it laid out in the draft strategy. At present in Wellington there is a very clear distinction between the "evening entertainment" phase and the "late night" phase. In the evening, before about 11pm, the city environment is the home of the commuter class. People have a quiet drink after work, have dinner, go to the movies or a show. By 11pm, the shows have finished, dinner has been eaten and most of these people are making their ways back to their suburbs.

At around the same time the younger crowd starts to move into the city. Bars in Te Aro start to get busy between 11pm and midnight.

The strategy seems to suggest that these two phases overlap far more than they actually do. Perhaps this is because the proposed Strategy would shoehorn the two distinct groups of people into the same space at the same time. This is not a good idea and it would inevitably be a source of ongoing conflict for both groups.

5.6 Don't rely on the regression data of opening hours

I single this statistic out because on the surface it looks like a serious challenge to later opening hours. The Police even point to this in their commentary. Unfortunately it's not telling you what it sounds like it's tell you.

The problem is that the Alco-link data used for the regression is "last drink" data. This is mentioned on page 91 of the Risk-Based Licensing Fees Report. It's a bit confusing because there's another dataset called the Last Drink Dataset which also uses this methodology. In both cases, an offence is linked to the place the offender had a drink.

Last drink data means that late-licensed establishments get the blame for offences caused by people who did most of their drinking at premises that have now closed. If we close the later-opening establishments the prospective offender is likely to be just as drunk and actually more likely to commit the offence (for reasons I get into later in my submission).

The opening-hour component of the regression analysis can be sanity checked against time of offence data, level of intoxication data and emergency department data, all of which point to the the worst drinking happening before 2am. In fact offenders seem to start sobering up after 2am.

There's another problem in interpreting the regression study. It uses the word "marginal" to describe the harm multipliers. This word is slightly misleading and it's important to note that the multiplier applies to the pre-midnight level of harm. The multipliers are not cumulative.

There is one interesting nugget of information in the regression study. Even with its systematic bias against later-opening establishments the study still finds that closing hours between 5:01am and 7am are safer than closing hours between 3:01am and 5am.

5.7 The fallacy of the pendulum

Both the Police and the Medical Officer of Health make the claim that there is a “pendulum” that has swung too far. This is just empty rhetoric. By describing something as a pendulum, you get it in a reader's head that there ought to be a swing in the other direction.

There is nothing about Wellington's development into the country's number one entertainment destination that suggests that a pendulum metaphor is in any way apt. Most Wellingtonians love the way Wellington is today and have no stomach for an attempt to turn back the clock.

I point this out because it illustrates the kind of fuzzy thinking in the statements of both the Police and the Medical Officer of Health. The pendulum is not a reality-based metaphor. It is used in place of an argument based on evidence, presumably because real evidence for the Police position is lacking.

Both agencies have valuable perspectives, but they both deal most with the rare exceptions not the relatively innocuous realities of Courtenay Place. Each weekend thousands of people have a great time with very little misadventure.

6 More accurate summary of harm data

The Snapshot makes a flawed attempt at interpreting the harm statistics. As I mentioned earlier, agencies have provided the wrong data to do any serious analysis but I have been able to determine a few facts from the Risk-based Licensing Fees Research Report:

- The city has about 129 attributable alcohol-related offences a week¹. Note that this includes all offences where alcohol might have been a factor. In some proportion of cases the offence would have occurred even without the dis-inhibiting influence of alcohol. It also includes drink-driving incidents which (particularly in Wellington) are less likely to be associated with on-licensed premises.
- Less than a third (32%) of attributable alcohol-related offences happen in licensed premises.²
- Of Alco-link attributable alcohol-related offences³:
 - 64% are crimes without an immediate victim: disorder, drugs and Sale of Liquor Act breaches (I suspect drink-driving is considered a disorder offence, but it wasn't specifically mentioned)
 - 14% are minor assault, trespass, intimidation or threat offences
 - 20% are destruction of property offences (7%) and serious assaults (13%)
 - 3% are grievous assaults

1 519 per 10km² for the period September 2010 to November 2012 (Risk-based Licensing Fees Research Report p21). Wellington City is 290km², giving 15,051 offences for the city over all. The period covers 117 weeks which is 129 offences per week.

2 Ibid. p106.

3 Ibid. p105.

- The peak time for alcohol-related offences is between midnight and 1am⁴.
- The peak time for emergency department presentations is 1am to 2am⁵.
- The peak time for offenders to show extreme intoxication was 1am to 2am⁶.
- The Alco-link times for attributable alcohol-related offences are:⁷
 - 6pm to 8pm: 3%
 - 8pm to 10pm: 6%
 - 10pm to midnight: 15%
 - midnight to 2am: 34%
 - 2am to 4am: 30%
 - 4am to 6am: 6%
 - 6am to 8am: 2%
- Alcohol-related presentations make up between 1% and 2% of presentations to emergency departments based on statistics in Auckland.⁸

7 Dangers of the proposed alcohol strategy

7.1 Problems with closing licensed venues at 5am

Wellington has cascading bar opening hours. After about 3am a few bars close every hour. Each time people leave a bar some of them go home and some of them feel like they're not ready to call it a night. If we close all the bars we will displace the drinking to neighbouring apartments and raise the level of inner-city street crime and drink-driving.

7.1.1 Displacement of late-night drinking to less controlled environments

Over 6,000 people now live between Willis Street and Cambridge Terrace and the population is continually growing. This means a lot of late night drinkers live in the area. The Council is worried about pre-drinking and side-drinking but by closing bars early you'll be creating another phenomenon, post-drinking. This is quite a common occurrence overseas. I lived in Edinburgh where bars normally close at 3am. People would walk back to their apartments in groups and drink there.

This was a lot harder in Edinburgh, because there weren't so many people living so close to the bar district. In Wellington it's an almost certainty that post-drinking will become popular.

Post-drinking carries with it a number of risks that aren't present in late night bars:

- Your friends are much less likely to stop serving you when you've had too much to drink.

4 Ibid. p27.

5 Ibid. p27.

6 Ibid. p115. The text supports this claim but frustratingly, the y-axis of the chart is the raw number of offences not the percentage of offences. I was able to use a graphics program to scale the bars to the same height so that the level of intoxication for each hour could be compared. I encourage Council to repeat this exercise or obtain the raw data so they can confirm for themselves.

7 Ibid. p107.

8 Ibid. p119.

- Every drink in a bar costs money, drinks at home at 5am in the morning are perceived as free.
- Vodka doesn't get poured to measure at home. Your "just one more" could be "just 5 more".
- The "management" of a residence is likely to be just as drunk as the "patrons".
- People may go home with strangers to continue their night which brings with it the possibility of sexual assault.
- Probably the single regular issue: noise complaints. Drunk people don't realise how loud they're playing the stereo. There's a huge difference between music from a bar a street away on Courtenay Place and the next door neighbours cranking the music up at 5:30am.

7.1.2 Drink-driving

People who don't live in town and can't find someone who lives in town might be tempted to drive home drunk. They might fool themselves into thinking that a sandwich and a coffee will sober them up. One of my friends has a contingency plan to have a quiet beer in Fringe bar late at night as he waits for the first train to the coast. If Fringe bar were closed I hope he wouldn't be tempted to drive.

7.1.3 Increased late-night street crime

There will always be people who want their night to continue. If these people don't have anywhere to go, depending on temperament and intoxication they might sit in a park quietly talking to friends, sing loudly in the streets, accost strangers, start fights, climb onto buildings or kick in shop windows.

But it's worse than that. At present, there's an ever-present crowd of ordinary people milling around town, attracted by the 24-hour nightlife. This means that troublemakers are being policed by the public and by their own awareness that the public are watching. Bouncers can call the Police if anything happens.

Shut the bars early, the general public goes home and only troublemakers remain. At present I feel a lot safer in Wellington after 5am than Palmerston North after 3am when it becomes almost deserted.

7.1.4 Long-term impact on the inner city community

So if we shut bars earlier we will inevitably get more street crime, property damage and noise complaints (as well as a host of other things). At the same time, the 24-hour character of the city will be rolled back taking some of the life out of the city.

In the long term this will make Wellington's inner city less attractive. Fewer people will want to live in town. This could depress property values and ultimately has the potential to turn Te Aro into a ghetto that the more affluent of Wellington want to avoid.

This is a worst-case scenario, but I genuinely believe that the 24-hour city is what keeps Wellington vibrant and safe and the city wouldn't be open 24 hours without the bar scene.

7.2 Problems with closing off-licenses at 9pm

7.2.1 Conflict between evening and late-night activities

The Draft Strategy proposes to close off-licensed at 9pm in the inner city. This would have the effect of causing people to start drinking more early.

Earlier in my submission I elaborated at length about the distinction between evening activities and late-night activities. Evening activities are more likely to involve children and older adults. They are the things people do after work: go to the theatre or the movies, eat at a restaurant, have an after-work drink with colleagues. These typically wind up before 11pm.

After about 11pm the late night scene kicks in. It generally revolves around alcohol, bars and clubs.

These two uses of the city would not play nicely together. Parents coming from a movie theatre with their kids would not want to walk into Courtenay Place as it is now at 1am in the morning.

The conflict would be largely a culture shock particularly to the more sedate earlier crowd. I'm not suggesting this conflict would be a source of crime. It would just unnecessarily put two distinct groups of people at odds with each other. Council would get more complaints about the out-of-control drunken young people on Courtenay Place from people who may have simply forgotten what it was like to be young.

7.2.2 Disruption for residents and tourists

- A lot of inner city people do not work 9 to 5. Some people finish work later in the evening and will not be able to pick up some beers after work.
- Tourists may want to pick up some alcohol to drink in their hotel room, but by the time they've checked in the bottle stores will be closed.
- Personally speaking, I often go out for dinner with friends or family and after the meal we feel like continuing our conversation over a bottle of wine back at my apartment. It's quite common for the meal to finish after 9pm so I'll be plain out of luck. We'll have to take the conversation to a noisy bar and if this happens I'm certain the main topic of conversation will be displeasure with the Wellington City Council.

7.2.3 It will just make people drink more

The end result is that heavy drinkers will just make sure they buy alcohol in advance. This means:

- They will have alcohol on hand more of the time
- They will be more likely to drink on a night they might otherwise have chosen not to
- They will start drinking earlier and drink for longer.

8 Flaws with the statistical analysis in the Snapshot

- Offences committed in public places are vastly more likely to be reported than offences committed in private dwellings. In fact something that might be reported as an offence by a bouncer at a club might be nothing more than a source of amusement when it happens in a private dwelling, especially since 54 per cent of offences are disorder offences. This means that offence statistics for private dwellings are under counted.

- The Snapshot suggests that high availability of alcohol in Newtown leads to high consumption. It's vastly more likely that social deprivation, especially leads to alcohol consumption, perhaps in part because of self-mediation, but also largely because people are less constrained about when they can drink.
- The measure of "high availability of alcohol" is dubious. Not all licensees sell the same amount of alcohol. People in high deprivation areas have less access to private transport, so they have less access to bulk alcohol retailers. They are also likely to live in more densely population areas that can support smaller retailers.
- The Density and Crime section is highly misleading. It discovers a correlation between license premise density and density of crime. This correlation is easily explained by foot traffic density, but the Snapshot uses the data to suggest that there's a strong causal link from new licensed premises to crime.
- The Snapshot seems to be quite cautious about the Hospitality NZ survey. It isn't nearly as critical of some of the other data which is just as dubious. With all its methodological issues, the Hospitality NZ survey does have some merits. The demographics captured by the survey seems far more representative of the population of who do in fact make use of Wellington's late night entertainment district.
- A great deal is made in the Snapshot of alcohol-only purchases made later at night. This seems to have no bearing on the issue. People are more likely to buy groceries before dinner and alcohol after dinner. This goes without saying.
- The comparison with foreign cities is of almost no value. We have no reason to think that those cities have the right policy. Wellington is unlike most of those cities. North American cities are characterised by high social deprivation in their central cities. They are also much more subject to organised crime both because they are bigger cities and because of freedom of movement across the entire country. London is a city of nearly 10 million people and in general pubs are spread out across the city, not clumped together as they are in Wellington.
- Many of the cities selected for comparison seem to have been hand-picked as ones with restrictive opening hours. I would compare us to a smaller capital of continental Europe. I investigated Copenhagen at random, which is open at least as late as 6am.
- The report notes 483 breach of liquor ban offences in 2010. If you assume that they all occurred on Fridays and Saturdays that's only about 4.5 a night. That's a trivial number. Most of them would be just a case of a person finishing a beer on the way out of their apartment.
- The Police chart of liquor ban breaches is misleading. Darker colours are used for increased number of breaches on the road, but no account is taken of the length of the road. This means that long roads, like Taranaki Street, Tory Street and Oriental Parade appear to be a larger contributor to liquor ban breaches than they in fact are. In addition, the colour gradient increases sharply to 20 and then flattens off, so that roads with 300 breaches and roads with 20 breaches appear equally bold.
- The Police crime map data has no scale so it's impossible to tell the scale of the crime problem from the map. Given that many of the coloured blotches on the map are perfect circles I would guess that we are talking about single digit numbers.

- The Police make a big deal about how much of Wellington's crime happens in the CBD. At 2006 Census 58,000 people worked in that area. Recent population estimates put the resident population for that area at 12,000. Plus there are tourists and people who just come to the CBD for the recreational amenities. No other area of the city comes close to this kind of population density and this much human interaction. It's not surprising that significantly more crime happens in the CBD than Makara.
- Note that excess blood alcohol chart is not an issue in Te Aro where most of the off-licenses are. It seems like people are getting caught going home after work drinks in Lambton (now known as Wellington Central).
- The statistics show just how rare stranger assaults are in Wellington. 478 assaults occurred between 2010 and 2012, that's 3 a week on average.

9 My survey response

My reasoning for these response can be found earlier in my submission.

- Creating an Entertainment Precinct:
 - strongly disagree
- Risk-Based Management Framework
 - don't know (not qualified to comment)
- Entertainment Precinct maximum trading-hour restrictions for on-licensed venues
 - strongly disagree
- Central Area maximum trading-hour restrictions for on-licensed venues
 - strongly disagree
- Suburban Centre maximum trading-hour restrictions for on-licensed venues
 - don't know (not qualified to comment)
- Maximum trading-hour restrictions of 7am-9pm for off-licensed venues
 - strongly disagree
- Supermarket, grocery and bottle stores should be treated the same despite the different range of products they sell.
 - agree (though whether a shop sells spirits could reasonably be a consideration in whether it gets at 11pm or midnight license)
- Council focus on application for youth-focused occasions or events
 - disagree (young people can't buy alcohol anyway)
- The proposed circumstances that would trigger a District Licensing Committee hearing to deal with issues of density and proximity of licensed premises
 - don't know (not qualified to comment)
- The proposed discretionary conditions that could be applied to a licence.

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- don't know (not qualified to comment)
- Overall, do you agree with the direction of the draft Local Alcohol Policy?
 - strongly disagree
- The proposed goals in the draft Alcohol Management Strategy are achievable
 - strongly agree (they are already achieved!)
- The initiatives proposed in the Implementation Plan (attached to the draft strategy) will deliver on the strategic goals
 - strongly disagree (they will do the opposite)
- The initiatives proposed in the draft strategy will contribute to communities having a healthier relationship with alcohol
 - strongly disagree (they will do the opposite)
- Gender
 - Male
- Age
 - 30-39 years
- Ethnicity
 - Pākehā