

# **Nelson Tasman Regional Alcohol Strategy**

*Creating a safe environment  
in which alcohol-related activities can be enjoyed,  
with minimal risk to individuals, the community  
and the environment.*

**Nelson City Council  
Tasman District Council**

**August 2006**



# CONTENTS

## PART ONE: BACKGROUND

1.0	Why the region is adopting an Alcohol Strategy -----	1
1.1	Background to the Strategy formation	
1.2	Links to the role and purpose of Local Government	
2.0	Goals and Objectives -----	2
2.1	Overall goal	
2.2	Objectives	
3.0	Principles -----	3
4.0	How the Strategy Works -----	3
5.0	Scope -----	4
6.0	Alcohol Related Harm -----	5
6.1	Indicators	
6.2	National context/statistics	
6.3	Nelson context	
7.0	Links -----	8
7.1	National Policies	
7.2	Local Policies	
7.3	Legislation	
8.0	Acknowledgements -----	9
8.1	Working Party	
8.2	Consultation	

## PART TWO: ACTIONS

<b>A.</b>	<b>Regulation</b>	
A1	Planning and Controls -----	11
A2	Liquor Licensing: DLA -----	14
A3	Host Responsibility -----	18
A4	Monitoring and Enforcement -----	20
<b>B.</b>	<b>Council Operations</b>	
B1	Alcohol on Council Property -----	22
B2	Urban Safety -----	22
B3	Council Events -----	23
<b>C.</b>	<b>Partnership</b>	
C1	Developing Partnerships -----	25
C2	Young People and Alcohol -----	26
<b>D</b>	<b>Advocacy and Education</b> -----	27
<b>E</b>	<b>Monitoring &amp; Review</b> -----	27
<b>F</b>	<b>Annual Project</b> -----	27
	<b>Appendices</b> -----	28

## 1.0 Why the region is adopting an alcohol strategy?

### 1.1 Background

The Alcohol Strategy is a response to community concern about alcohol related harm in the Nelson Tasman Region.

Nelson City Council (June 2004) called for a review of the licensing hours (last reviewed 1994), following submissions which linked the closing times of licensed premises with anti-social behaviour occurring in the inner city.

A preliminary review indicated that there were a number of interrelated issues which would best be addressed by the adoption of a comprehensive Alcohol Strategy; this would link together all Council and community initiatives aimed at alcohol harm reduction. This is in line with initiatives throughout New Zealand, which are supported by Local Government New Zealand and the Alcohol Advisory Council of New Zealand. The Strategy would provide a necessary context for the review of licensing hours.

### 1.2 Links to the role of Local Government

#### Social Role: Focus on Community Well-Being

Under the Local Government Act 2002, Local Authorities are required to “*play a broad role in promoting the social, economic, environmental, and cultural well-being of their communities, in the present and for the future.*” (s.3 & 10).

Section 93 of the Act requires the Council to have in place a Long Term Community Plan (LTCCP) which identifies outcomes that have been agreed with the community in terms of the present and future well-being of the community. Minimising harm from the misuse of alcohol is an important aspect of promoting community well-being.

#### Planning role

The Resource Management Act 1991 entrusts local authorities with responsibility for promoting *the sustainable management of natural and physical resources ... in a way.. which enables people and communities to provide for their social, economic, and cultural well-being and for their health and safety* (s.5). This is achieved through the District Plan, or Resource Management Plan, which may set rules about what activities are permitted and the zones they may operate in, and may contain controls over activities, so as to avoid or remedy any adverse effects of those activities, (such as noise).

#### Regulatory role

The Sale of Liquor Act 1989 gives responsibility for the issuing and renewal of (uncontested) liquor licences to local authorities, as District Licensing Agencies. The Act requires them to “*establish a reasonable system of control over the sale and supply of liquor to the public with the aim of contributing to the reduction of liquor abuse, so far as this can be achieved by legislative means*” (s.4).

## 2.0 Goals And Objectives

### 2.1 Overall goal

The overall goal of the Strategy is:

*to minimise alcohol related harm to individuals, families, businesses and the community in the Nelson Tasman region.*

This Strategy does not seek to prevent or limit the use of alcohol, but to minimise the harm associated with its misuse. As acknowledged in the National Alcohol Strategy, *“alcohol is a part of contemporary New Zealand society. It is a legal, regulated and widely available product, and the large majority of adults drink at least occasionally. Alcohol is a feature of New Zealand life. For many, it is a symbol of hospitality, and is used on occasions to celebrate important events in people’s lives.*

*Used in moderation, alcohol can reduce the risk of certain illnesses for some groups. The alcohol and hospitality industries contribute significantly to New Zealand’s economy.*

*However, when alcohol is misused, the resulting harms can be considerable.*

*It is recognized that, on the one hand, when used in moderation and in non-hazardous situations, alcohol can provide personal and social benefits; but on the other hand, when it is misused, or used in risky situations, alcohol can cause great damage to individual drinkers, their families and to the wider community.”<sup>1</sup>*

*“It’s not the drinking  
It’s how we’re drinking”<sup>2</sup>*

### 2.2 Objectives

The goal is further developed into four broad objectives, with associated actions (many of these objectives and actions overlap, and all relate to the overall goal of minimising alcohol related harm).

- Alcohol harm is minimised by using effective planning and regulation instruments
- Safe and moderate use of alcohol will be the dominant culture
- Alcohol related harm by youth is minimised
- Urban areas are safe

## 3.0 Principles

This Strategy reflects Nelson and Tasman City Council’s commitment to the Treaty of Waitangi. By recognizing the principles of partnership, protection and participation, one of the objectives of this Strategy is to ensure that Maori enjoy the same levels of wellbeing and protection from the harmful effects of alcohol as all other citizens in our region.

<sup>1</sup> National Alcohol Strategy, 2000-2003, Alcohol Advisory Council of New Zealand and Ministry of Health, March 2001, page 1

<sup>2</sup> ALAC (Alcohol Advisory Council of NZ) campaign launched March 2005

The Strategy is based on the following principles:

- That the Councils have a social responsibility to provide for the well-being of the community, now and into the future.
- That everyone has the right to peaceful occupation of their homes, and the safe peaceful enjoyment of their neighbourhoods and public spaces
- That visitors and tourists have the right to safe and enjoyable experiences in the region
- That some sectors of the community suffer more adverse effects from alcohol misuse, (either through their own drinking habits, or as victims of other peoples' alcohol-impaired behaviour) and as such have a greater need of "protection" from alcohol-related harm
- That the views of the community as a whole must be taken into consideration when planning for alcohol in the community.
- **Precautionary principle:** that where there is a reasonable likelihood of harm from an activity, the community must adopt a cautious approach to that activity.<sup>3</sup>
- **Environmental principle:** that people's drinking behaviour is shaped and influenced by the availability of alcohol in the community; that the physical conditions surrounding the drinking location influence drinking behaviours.<sup>4</sup>

#### 4.0 How the Strategy Works

The Strategy works through a 'Whole of Council' and 'Whole of Community' approach.

- **Whole-of-Council approach:** This strategy has an emphasis on the safe consumption of alcohol, and given that drinking occurs at a wide range of venues and functions throughout the city, the goals and objectives of the strategy should be considered whenever Council policies are developed, implemented, and reviewed.
- **Whole-of-community approach:** This acknowledges that alcohol harm reduction is a community wide responsibility. The Councils will work in partnership with agencies and the community to reduce alcohol related harm.

The Strategy builds on the initiatives and actions that already exist, linking them together under the common goal; and it introduces some new actions which seek to address the issues related to alcohol harm in the region.

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<sup>3</sup> Principle 15 of the Rio Declaration on Environment & Development 1992 – involves acting to avoid serious potential harm, even where there may be limited scientific certainty as to the likelihood, magnitude or causes of that harm.

<sup>4</sup> *"Drinking patterns, risk behaviour and health and safety outcomes can be influenced through strategies that combine national policy with community action. For example, the reduction of alcohol-related traffic fatalities through drink-driving and breathalysing laws, public education, local enforcement and community campaigns"*. Planning for Alcohol in the Community, Local Government Toolkit, Alcohol Advisory Council of New Zealand, June 2005, section 2.2 page 7

## 5.0 Scope of the Strategy

The Strategy covers the geographical areas administered by the Nelson City and Tasman District Councils (the Region).

It relates to alcohol use in public spaces, ie. parks, reserves, streets; and in licensed private spaces, ie. restaurants and bars, bottle stores, retail outlets and clubs where the sale and supply of alcohol is carried out as a licensed activity.

It promotes the safe use of alcohol in private spaces (ie. homes, work spaces), so that the messages about the safe use of alcohol, host responsibility, and non-supply to minors are practised by all sectors of the community.

The Strategy incorporates:

1. Areas of Council responsibility:
  - Planning matters
  - Regulation and control of the sale of liquor
  - Monitoring and Enforcement
  - Host responsibility
  - Council operations
  - Council as an employer
2. Areas where other agencies have prime responsibility:
  - Policing
  - Drink driving
  - Public Health
  - Accident prevention
  - Education and awareness
  - Campaigns to alter the dominant drinking culture
  - Counselling
  - Youth drinking
3. Areas where the Councils, lead agencies and key stakeholders work in partnership:
  - Liquor Licensing Enforcement Group
  - Liquor Liaison Group

## **6.0 Alcohol-Related Harm**

### **6.1 Indicators of Alcohol-Related Harm**

The National Alcohol Strategy lists the following indicators of alcohol-related harm <sup>5</sup>:

- Deaths and physical health problems from alcohol-related conditions
- Alcohol dependence and other mental health problems
- Effects on unborn children
- Drink-driving fatalities and injuries
- Drownings
- Violence both within and beyond the home
- Workplace injuries and lost productivity

Within the Nelson Tasman Strategy, the term alcohol-related harm has been broadened to include:

- Anti-social behaviour, vandalism and property damage (fuelled by alcohol), occurring in public places, and in or around licensed premises
- Violence: (fuelled by alcohol) in public places, and in or around licensed premises (specifically assaults, intimidation, robbery, and sexual attacks).
- Effects of binge drinking on all age groups
- Risk taking by people while under the influence of alcohol
- Social effects: on health, social, mental and physical development, absenteeism from school and work
- Drink driving, particularly increasingly by young people
- Adverse neighbourhood effects, generated by noise, vandalism, offensive behaviour, littering (especially glass)
- Cost to the community, including:
  - Cost of policing, and allocation of police resources
  - Effect on hospital and medical resources
  - Pressure on emergency services
  - Pressure on public transport
  - Infrastructure costs (clean up and repairing damage to city amenities)
  - Cost of implementing harm reduction strategies

### **6.2 The national context/statistics**

The following statistics taken from the Alcohol Advisory Council of NZ research provide an indication of the extent of alcohol-related harm throughout New Zealand: <sup>6</sup>

- Approximately 70% of crime in NZ is alcohol related (75 to 90% on weekends)
- 3.9% of deaths in 2000 were attributable to alcohol consumption (approximately 1040 deaths)
- Strongly associated with road accidents: in 2000, drink-driving was a factor in 46% of all fatal crashes, and 14% of injury crashes.

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<sup>5</sup> National Alcohol Strategy, page 8

<sup>6</sup> "Interesting Statistics about Alcohol in New Zealand", downloaded from website of Alcohol Advisory Council of New Zealand, [www.alac.org.nz](http://www.alac.org.nz)

- Estimated that 20.1% of all deaths in the 15-34 age group can be attributed to alcohol, mainly from road injuries, followed by suicide, assault and miscellaneous injuries
- Nearly 1 in 5 New Zealanders will suffer from an alcohol-related disorder at some stage in their life
- Nearly 450,000 New Zealanders have indulged in binge drinking on their last drinking occasion
- Approximately 125,000 young people (under 18) fall into the category of binge drinkers
- Absorbs nearly 12% of the police budget (\$100 million of the \$790 million budget)<sup>7</sup>

### 6.3 The Nelson context

At the time of drafting this Strategy, there is no baseline data which has been collected specifically for the purpose. However, it is apparent from trends arising from police statistics, the YATA Proxy Indicators<sup>8</sup>, and from consultation with the community, that the levels and indicators of alcohol-related harm in the region are consistent with the national statistics.

#### 6.3.1 Issues in the Region

The Working Party and the community have identified the following issues as significant in the region:

- The “drinking culture”, particularly binge drinking, across all age groups
- Underage drinking, particularly amongst pre-teens, and associated risk taking by young people; concern over teen injuries from drinking<sup>9</sup>
- Youth access to alcohol: illegal sales to minors; and supply by parents and friends
- A high level of anti-social behaviour and violence occurring at closing times in the Central Business District Nelson, and other “hotspots”
- Safety concerns for drinkers, the public, and residents; Social cost/opportunity of residents feeling unsafe to visit parts of the city, especially at night due to drinking related behaviour
- Safety and health issues (for contractors and the public) in city parks, caused by anti-social behaviour of alcohol-impaired people, and infringements of the Alcohol Bylaw; safety issue from glass in rivers, beaches and parks.
- Insufficient public transport to cater for the large number of patrons exiting licensed premises at 3am
- Drink driving, and an increase in drink driving by the younger age group (under-16 year olds)
- The lack of reliable and consistent data relating to the social effects of alcohol consumption. (see footnote 10)

<sup>7</sup> National Drug Policy New Zealand – Alcohol in New Zealand: Tackling alcohol-related offences and disorder in New Zealand, by Paul Marriott-Lloyd and Mike Webb, page 2

<sup>8</sup> “Proxy Indicators for Alcohol Use by Youth in Nelson”, prepared for Youth Access to Alcohol (YATA) Group, Nelson, by Jude Miller Consulting, Nelson, May 2005. This research was commissioned by YATA to assess the viability of analysing proxy indicators related to alcohol use by youth in Nelson. (Please refer to the executive summary in appendix 2, or to the full report available on request).

<sup>9</sup> “Concern over teen injuries from drinking”, by Naomi Mitchell, Nelson Evening Mail, 18 January 2006

### 6.3.2 YATA Proxy Indicators

(relating to young people only)

A valuable insight into youth drinking in Nelson has been obtained from the Youth Access to Alcohol (YATA) Proxy Indicators report <sup>10</sup>. *(This studied young people in the age range of 12 to 24, which was further broken down into the 12-17 and 18-24 age groups. Data was obtained from agencies such as police, hospital admissions, LTSA, Alcohol and Drug clinics etc. The study also included a qualitative survey of local health professionals, counsellors etc.)*

Proxy Indicators provide indirect measures of change where direct data such as change in individuals' actual behaviour is not readily available. Quantitative measures of a number of indicators are the most objective measurement following community action strategies. However, the use of qualitative data will also provide useful insights to assess what is happening "behind" the quantitative statistics.

The findings \* include:

- 18-19 year old males figure disproportionately in arrests, motor vehicle accidents, drink driving and alcohol and drug clinic referrals
- Eighteen year olds have the highest number of referrals to the AOD clinic for 'alcohol only' issues while 19 and 22 year olds have the highest frequency for 'alcohol and drug' referrals. Referrals have been increasing at a faster rate for 'alcohol and drug' issues for those in the 18-24 year age bracket in the last year. The rate of increase has not been as high for the younger age group.
- Declines have been observed for both age groups for referrals for 'alcohol only' issues. (Intoxication levels for Pakeha and Maori in Nelson are similar; that is the proportion of those arrested with moderate levels of intoxication did not vary greatly between both groups.)
- Arrests where excessive alcohol use was found have not increased in the last year (2004), while arrests with moderate use of alcohol have increased. (The assessment of whether alcohol use is extreme or moderate was at the discretion of individual police officers at the time of data collection).

\* *These findings relate to the data collected for this study, relating to the 12-24 year age group)*

Some of the observations made by those involved in the qualitative survey (15 local professionals) associated with young drinking were:

- the extent of binge drinking
- younger people now drinking
- availability of pre-mix drinks and spirits aimed at youth
- acceptability of youth drinking
- lack of parental guidance and support
- excess drinking in public places
- unprotected sex.

The Proxy Indicator information included does have limitations in relation to the lack of consistency with the data collection and also the validity of the data <sup>11</sup>. Recommendations on data collection are contained in Strategy Actions, Section E Evaluation and Review.

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<sup>10</sup> Proxy Indicators for Alcohol Use by Youth in Nelson.

<sup>11</sup> "Different ways of collecting data have made comparison between data sets difficult and in some cases meaningless. In addition, some of the data sets have not been collected consistently. Some have been recorded by different people in the organisation and at times, not recorded at all. Further, some organisations do not separate alcohol from drug related incidents". Page 6, Proxy Indicators

## 7.0 Links

### 7.1 National Policies

A local Alcohol Strategy develops the objectives and priorities set by national policies:

Policy	Objectives/Priorities
<p><b>The NZ Health Strategy 2000-2003</b> (Ministry of Health, 2000)</p>	<p>Sets the platform for change and identifies key priority areas, including minimising harm caused by alcohol and illicit and other drug use to individuals and the community</p>
<p><b>National Drug Policy 1998-2003</b>  (Ministry of Health)</p>	<p>Sets out the Government's commitment to minimise all drug-related harm, through the three pillars of: supply control, demand reduction and problem limitation strategies.</p> <p>Relevant priorities:</p> <p>Priority One: "To enable New Zealanders to increase control over and improve their health by limiting the harms and hazards of alcohol use."</p> <p>Priority Three: "To reduce the hazardous and excessive consumption of alcohol, and the associated injury, violence and other harm, particularly on the roads, in the workplace, in and around drinking environments, and at home."</p>
<p><b>National Alcohol Strategy 2000-2003</b>  (Ministry of Health)</p>	<p>Develops a set of strategies by which to achieve the alcohol-related targets listed in the National Drug Policy. The overall goal of the National Alcohol Strategy is to help minimise alcohol related harm to individuals, family/Whanau, the community and New Zealand society.</p> <p>Relevant objectives:</p> <p>"To encourage local bodies to better address alcohol issues by effective use of legislation, by-laws, policies and plans." (Objective 5)</p> <p>"Encourage local authorities to address alcohol issues via the development of comprehensive local alcohol policies" (Objective 5.1);</p> <p>"Encourage local authorities to support strategies for minimizing alcohol-related harm, which have been developed by Maori community service providers and marae-based committees (Objective 5.5).</p>

## 7.2 Local Policies

### 7.2.1 Nelson City Council (NCC) / Tasman District Council (TDC) Policies

- Long Term Council Community Plan (LTCCP) Outcomes 2006 -2016, NCC and TDC, (see appendix 1)
- Social Well-being Policy, NCC 2003

*Nelson City Council recognises that it has an important role in improving and guiding community wellbeing for Nelson, and that a higher level of community wellbeing leads to a better quality of life for all residents.*

*Objective 5.3:*

*Ensure that Nelson remains a safer place.*

*5.3.1 Continue to sponsor the Nelson Safer Community Council.*

*5.3.2 Continue to co-ordinate the Night Watch Nelson Community Patrols.*

*5.3.3 Continue to develop close working relationships with the Nelson Police and other community partners.*

*5.3.4 Build on the current high standards of urban design by considering the incorporation of Crime Prevention Through Environmental Design, (CPTED), guidelines into the Council's design standards.*

- Gambling Venue Policies ,NCC and TDC
- Bylaws Drinking in Public Places, NCC and TDC
- Reserves Bylaw ,NCC
- Youth Policy, NCC, (proposed 2007-08)

### 7.2.2 Policies of Partners/Other agencies

- Police
- ACC
- Public Health Service Nelson
- Other agencies or organizations as identified during the implementation of the Strategy

## 7.3 Legislation

The Sale of Liquor Act, Resource Management Act, and Local Government Act are all relevant to Councils' responsibilities and practices concerning alcohol.

The relevant provisions of the Gambling Act, 2003 Prostitution Reform Act 2003, and Smoke Free Environments Amendment Act 2003 are linked to alcohol related harm issues.

## **8.0 Acknowledgements**

In writing this Strategy, Council has drawn on the Local Government Toolkit, "Planning for Alcohol in the Community".<sup>12</sup>

### **8.1 Working Party Membership and Consultation**

A Working Party was formed in April 2005, consisting of representatives from:

- Nelson City Council
- Tasman District Council
- Nelson Bays Police
- Public Health Service Nelson
- Nelson Alcohol and Drug Service
- Health Action, Nelson
- Hospitality Association of NZ
- Alcohol Advisory Council of NZ
- Te Korowai Trust
- Nelson Youth Council
- Nelson District Licensing Agency
- Tasman District Licensing Agency

### **8.2 Consultation has been carried out with the following groups and organisations:**

- Iwi, Top of the South
- Maori support service and health providers
- Youth – via The Hub, and the Youth Council
- Licensees in the Nelson District Licensing Agency Area
- Retailers/businesses in the Nelson Inner City
- Nelson Chamber of Commerce
- Latitude Nelson
- Nelson Regional Economic Development Agency
- Violence Intervention Network
- Nelson Community Whanau Network
- Nelson Safer Community Council
- Secondary Schools, Nelson Marlborough Institute of Technology
- Taxi companies
- Nelson Residents Association
- Motueka Community Board
- Golden Bay Community Board
- National Council of Women

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<sup>12</sup> "Planning for Alcohol in the Community", Local Government Toolkit, Alcohol Advisory Council of New Zealand, June 2005

## PART TWO: STRATEGY ACTIONS

### A REGULATION

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#### A1 Planning and Controls on the sale and consumption of Alcohol

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##### *Objective 1*

***To ensure that Council planning instruments and bylaws are consistent with the role of local authorities under the Local Government Act 2002 (s.10) “to promote the “social, economic, environmental and cultural well-being of communities, in the present and for the future”.***

##### A1.1 Location, Zoning, General Planning Provisions

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Under the Nelson Resource Management Plan, the sale of liquor is a permitted activity within the Inner City, Suburban Commercial, and Industrial Zones. There are no additional controls over the location and number of outlets in these zones. It is not a permitted activity in the Residential Zone. Any licensed premises currently situated in the Residential Zone either have existing use rights or a Resource Consent.

In the Tasman Resource Management Plan, the sale of liquor is permitted in the Central Business and Commercial Zones. It is not a permitted activity in the Residential Zone.

In both plans, other rules, such as noise control, parking requirements, signs, apply generally.

##### A1.2. Public Input into Licensing Decisions

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Through the Sale of Liquor Act, all applications for a new licence and licence renewal must be publicly advertised. The public can object on matters specified in the Act, including the suitability of the applicant, days and hours of trade, designation of the premises, steps taken to ensure prohibited persons are not served, and supply of food and non-alcoholic refreshments. However, the right to object only applies to people who have a greater interest in the application than the public generally, eg. a resident living in the same street as the proposed premises. A member of the public who is concerned about the effects of alcohol generally in the community, but living some distance from the premises, would not be considered as having a greater interest in the application, but can comment on the applicant’s suitability.

Through the Resource Management Act (RMA), the public can have input if there is a notified resource consent application for a licensed premises in any zone where it is not a permitted activity. The public can make submissions in terms of site suitability, and environmental effects (such as noise, parking etc).

An applicant for a liquor licence must meet the requirements of the Sale of Liquor Act. The premises must also meet requirements under the Building Act 2004, the Public Health Act 1956, and Resource Management Act 1991.

##### A1.3 Hours of operation

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The Sale of Liquor Act 1989 removed any national rulings about licensing hours, and gave responsibility to Local Authorities to regulate hours of operation.

The Nelson Resource Management Plan sets the hours of operation, according to the distance from residential zone. Licensed premises can operate until 3.00am, unless they are within 50 meters of a residential zone, in which case the closing time is 11.00pm Sunday to Thursday, and 1.00am, Friday and Saturday nights. (The relevant plan rules are ICr.46, SCr.39, and INr.42).

Off-licences are limited to 11.00pm.

In Tasman, operating hours are generally limited to between 7am and 11pm, if the business is immediately adjacent to a residential zone. Otherwise closing hours are 3am, except for Motueka, where the closing time has been agreed at 2am by the Motueka Accord. The hours of operation for the sale of liquor are set by Council Policy (not the Resource Management Plan).

#### A1.4 Review of operating hours

##### Discussion:

In the development of this Strategy, consultation has taken place on the level of satisfaction with current operating hours. There is a range of opinions, but a common concern is anti-social behaviour that occurs at closing times, in the inner city. The situation is aggravated by the inadequacy of transport and food outlets. Anti-social behaviour tends to spill over from the inner city drinking strip to other parts of the inner city, resulting in a number of "hot spots" in the inner city zone, some of which are adjacent to residential areas.

There is a school of thought that these problems would be solved by extending the operating hours, or having no set closing hours (24-hour licensing), thereby allowing licensees to choose their closing time, which could result in staggered closing times, and a consequent reduction in the number of patrons exiting on to the streets at the same time.

On the other hand, a significant amount of research, both within New Zealand and overseas, indicates that an extension of drinking hours leads to increased alcohol-related harm. Some New Zealand cities that have longer or 24-hour opening are considering cutting back hours<sup>13</sup>, and 24-hour licensing which has just started in the United Kingdom has been the subject of much concern even before it started.<sup>14</sup> The Working Party believe that Nelson must be cautious about considering an extension to the drinking hours, and that all likely impacts must be considered.

The Strategy recommends comprehensive public consultation on the level of satisfaction with the operating hours, in order to determine if there is sufficient demand for extended or changed hours, and whether extended hours could increase the level of alcohol related harm, or undermine this Strategy's vision. Any change to operating hours requires a plan change in the Nelson Resource Management Plan (NRMP) as prescribed in the Resource Management Act 1991, or a change in Council policy for the Tasman District Council.

Action 1: Review of operating hours	Responsibility	Timeframe	Resource Implications
(a) Carry out consultation with the community to establish the level of satisfaction with operating hours for licensed premises	Nelson City Council Tasman District Council	Within 6 months	Costs associated with consultation
(b) Carry out formal consultation on a plan change (change to licensing hours) under the provisions of the Resource Management Act 1991 for the NRMP, or review TDC policy.	Nelson City Council Tasman District Council	By December 2006	Costs associated with consultative process
(c) Continue to monitor and obtain information from other cities that are	Nelson City Council Tasman District	On-going	

<sup>13</sup> Christchurch, Timaru, Dunedin

<sup>14</sup> "A leap in the dark? Lessons for the United Kingdom from past extensions of bar opening hours", Emma J Plant & Martin Plant, Alcohol & Health Research Trust, Centre for Public Health Research, University of West of England, Bristol, 2005

trialling lockdowns, and/or have extended hours	Council		
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#### A1.5 Bylaw for the Control of Liquor in Public Places

##### **Objective 2**

**To ensure compliance with Bylaws controlling the consumption of liquor in public places so as to achieve their purpose of “protecting the public from nuisance; protecting, promoting, and maintaining public health and safety; minimising the potential for offensive behaviour in public places”.**

The bylaw “Drinking in Public Places” (NCC) and “Control of Liquor in Public Places” (TDC) prohibit the possession and consumption of liquor in public places at certain times (within the hours of darkness) in specified areas, namely the inner city area, and certain parks and reserves. In addition, the Bylaws contain a clause enabling the Council to impose an alcohol ban in a certain place on a specific date, eg. on New Year’s Eve.

##### Discussion:

There is concern in the community about non-compliance with the bylaw and associated anti-social problems occurring in some city parks and public places. This poses a threat to the safety and well-being of the public, and maintenance staff. The Strategy proposes stricter enforcement, and actions to raise public awareness of the bylaw.

<b>Action 2: Bylaw Compliance</b>	<b>Responsibility</b>	<b>Timeframe</b>	<b>Resource Implications</b>
(a) Carry out public awareness campaigns, distribute information amongst tourism operators; include information in the Passport (Summer Strategy)	Nelson City Council Tasman District Council	Annually – prior to summer	
(b) Review signage in the bylaw zone	Nelson City Council Tasman District Council	Within 3 months	Cost of signage
(c) Carry out targeted monitoring and enforcement of known trouble spots	Police	On-going	

##### **Objective 3**

**To measure the effectiveness of the Bylaw.**

The bylaws are due for review, under the Local Government Act, (s.158), within 5 years of the date on which they are made; (Nelson Bylaw review due 2008, and the Tasman Bylaw in 2009). This is not a review of the effectiveness of the Bylaw, but looks at whether a bylaw is the most effective way of addressing the perceived problem (s.155 of the LGA). The Strategy proposes an annual evaluation to measure the effectiveness of the Bylaw. In addition, the Nelson City Council Reserves Bylaw needs to be reviewed, to bring it into line with the Drinking in Public Places Bylaw.

<b>Action 3: Bylaw Review</b>	<b>Responsibility</b>	<b>Timeframe</b>	<b>Resource Implications</b>
(a) The Bylaw controlling liquor in public places will be evaluated annually, prior to the statutory review	Police, Councils, Public Health	December	
(b) The Police and Councils will agree on baseline data on which to base the evaluation.	Police, Councils, Public Health	Within 3 months of approval of Strategy.	
(c) Review the Nelson City Council Reserves Bylaw to align it with the Drinking in Public Places Bylaw	Nelson City Council		

## **A2 Liquor Licensing – District Licensing Agency**

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### ***Objective 4***

***To ensure that the activities of District Licensing Agency fulfil the purpose of the Sale of Liquor Act, which is “to establish a reasonable system of control over the sale and supply of liquor to the public with the aim of contributing to the reduction of liquor abuse, so far as that can be achieved by legislative means.”***

#### **A2.1 Operation of the District Licensing Agency (DLA)**

Under the Sale of Liquor Act 1989 Local Authorities are the District Licensing Agency (DLA). The DLA is responsible for issuing and renewing liquor licences (if uncontested), imposing conditions for the licence, and monitoring licensed premises.

In Nelson, the day to day functions of the DLA administration and liquor licensing are contracted to Environmental Inspections Ltd, (EIL) under delegation. The Divisional Manager Planning and Consents is the Secretary of the DLA, to whom EIL report.

The functions of the Tasman District Licensing Agency are under the control of the Environment and Planning Committee of the Tasman District Council. The role of Secretary is carried out by a Consents Officer under delegation from the Chief Executive.

#### **A2.2 Liquor Licensing Procedures**

Liquor Licensing is carried out in accordance with the provisions of the Sale of Liquor Act. The operations of the Tasman District Licensing Agency are documented in a Policy Statement, (1997). The Strategy recommends that the licensing procedures of the Nelson District Licensing Agency will be developed into a comprehensive written document; the Tasman Policy Statement will be updated and reviewed in conjunction with the Nelson Procedures.

#### **Discussion**

A written document provides licensing applicants with comprehensive information about the requirements of the Act, and clarifies the expectations of the District Licensing Agency. It provides for consistent and transparent decision making, and enhances the principle of public participation, by providing the public with information on how to have input into licensing decisions.

#### **A2.3 Display of licences, notices**

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The Sale of Liquor Act requires certain signs to be displayed at all times: a copy of the licence with the hours of operation and any particular conditions; and the name of the duty manager. Licensees are required to display these notices in a consistent, prominent place, preferably grouped together. The display of notices in a prominent location facilitates the task of monitoring, and the provision of information to the public.

Licensees are also required to display Host Responsibility signs including: the availability of food non alcoholic beverages, prohibited persons signage, transport options, and any other appropriate signs.

The prominent display of Host Responsibility notices informs the public of the responsibilities of the licensee within the Sale of Liquor Act.

<b>Action4: Licensing Policy and Procedures</b>	<b>Responsibility</b>	<b>Timeframe</b>	<b>Resource Implications</b>
(a) NCC will develop a Liquor Licensing Policy to document all licensing procedures	Nelson District Licensing Agency	6 months	Within existing budgets
(b) The TDC Licensing Policy Statement will be updated and reviewed in conjunction with the NCC Licensing Policy	Tasman District Licensing Agency	6 months	Within existing budgets
(c) The Licensing Policies will be posted on Council websites	Councils	6 months	Within budget
(d) All the statutory signs (licence) are to be located together at the principal entrance.	DLA, Nelson and Tasman	Ongoing	Within budget
(e) Licensees will be encouraged to display their written host responsibility policy and Host Responsibility notices in a prominent position on the premises.	Public Health Services	Ongoing	Within budget

#### A2.4 Designation of Premises:

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##### **Objective 5**

##### ***To apply appropriate designations to licensed premises.***

The Sale of Liquor Act (s.14(5)(g) allows for licences to be given a designation, (either restricted or supervised), or to be undesignated. The designation can apply to part of or the whole premises.

Definitions:

- Restricted Area: an area where minors (people under the age of 18 years) may not be admitted.
- Supervised Area: an area where minors may not be admitted unless they are accompanied by their parent or guardian. Minors are not able to purchase liquor themselves, but they are able to consume liquor, provided this is purchased and supplied to them by their parent or guardian.
- Undesignated Area: there are no restrictions on entry by minors. However, as above, minors can only consume liquor if purchased and supplied to them by their parent or guardian.

#### A2.4.1 On-licences

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On-licences are premises where consumption of liquor takes place on the premises.

In deciding on the designation, the DLA takes into account the following factors:

- The purpose of the premises: whether mainly for drinking, mainly for eating, or a mixture.
- The aesthetics, ambience of the premises.
- Whether it is family orientated
- If an applicant requests a certain designation, or a mixture of designations (eg. restricted or supervised for a drinking area and undesignated for a family area), this will generally be approved by the DLA.

In general, premises designed mainly for drinking ("bars") are designated supervised.

Most cafes and club premises are undesignated.

#### A2.4.2 Off-licences:

Off-licences are establishments where liquor is sold for consumption off the premises, ie. bottle stores, supermarkets and general purpose stores. The minimum purchase age of 18 applies. Off-licences may be given a supervised or restricted designation ((s.37(4)(b) of the SOL Act)), or may be undesignated.

In the Tasman District Licensing Area, all stand-alone bottle stores are designated supervised. In the Nelson District Licensing area, all off-licences are undesignated.

The sale and supply of alcohol to minors is a national and local concern. The extent of illegal sales to minors was indicated by the results of a Controlled Purchase Operation in 2005, in which 40% of stores visited sold liquor to minors.

As one means of limiting the opportunities for minors to purchase alcohol, the Nelson District Licensing Agency will consider applying a **Supervised** designation to stand-alone bottle stores. (This will not include supermarkets, grocery stores or general purpose stores). This will provide consistency between the Nelson and Tasman District Licensing Agency areas.

Action 5: Designation of off-licences	Responsibility	Timeframe	Resource Implications
(a) All stand-alone off-licences in the Nelson and Tasman areas are to be designated "supervised" under s.37(4)(b) of the Sale of Liquor Act.	Nelson DLA, following Nelson City Council Policy Approval, and consultation	Policy to be finalised within 6 months – to be implemented progressively as premises apply for licence renewal	Costs of consultation process

#### A2.5 The issuing of General Managers' Certificates

##### **Objective 6**

***To ensure that general managers' certificates are issued to appropriately qualified and experienced people.***

At all times that liquor is being sold to the public from licensed premises, a certificated manager must be on duty. The manager is responsible for compliance with the Act and with the conditions of the licence, and for the conduct of the premises, with the aim of contributing to the reduction of liquor abuse. A manager must hold a General Manager's Certificate or Club Manager's Certificate (for management of Clubs). If the licensee is involved in the management of the premises, he or she must hold a Manager's Certificate in their own right.

In order to receive a Manager's Certificate, a person must have undertaken a recognised training course leading to the Licensed Controllers Qualification.

In some situations, it may be appropriate for a Manager's Certificate to be made specific to the site at which the applicant is currently working. This would apply in situations where the DLA considers that the applicant's experience is not, or would not be, sufficient to cover the full requirements of the Act.

Action 6: General Managers' Certificates	Responsibility	Timeframe	Resource Implications
(a) The District Licensing Agency reserves the right to request a written undertaking from an applicant for a Manager's Certificate that their certificate will only apply to the site at which the applicant works. Such undertaking would be recorded as a notation on the Manager's Certificate for future reference.	DLA, Nelson and Tasman	Ongoing	Within budget

**Objective 7**

**To ensure that Special Licences are granted in accordance with the provisions of the Sale of Liquor Act.**

A Special Licence authorises the holder of the licence to sell and supply liquor for a particular occasion or event, or series of occasions, or to sell liquor to people attending a social gathering, either at a different location from that shown in the licence, or at times outside the normal hours of the licence.

As the Sale of Liquor Act does not provide a clear definition of “occasion” or “event”, or “series of occasions or events”, it is up to the District Licensing Agency to clarify this. However, there are precedents arising from Case Law which are helpful in defining special events. In granting a special licence, the DLA must be able to separate one-off events or series of occasions from normal licensed activities, and to identify the point at which an application for a Special Licence is in fact a *de facto* change of hours of operation, for which a Variation to a Licence should be obtained. It is important to maintain this distinction, to ensure a change in hours of operation does not occur by *de facto* means, which removes the opportunity for public input or objection.

The Tasman Policy Statement includes a definition of private social gathering and public functions, and outlines the procedure for issuing of Special Licences. Similar provisions will be included in the NCC Licensing Policy.

Applications for special licences in the Tasman area are considered and approved, if appropriate, under delegated authority, except where the original licence was obtained through a Resource Consent, in which case the applicant is required to go through the Consent process to obtain a special licence.

**Discussion**

An area of concern to licensees in the Nelson area is the difficulty of obtaining a special licence to operate outside their normal trading hours. As operating hours are included in the Nelson Resource Management Plan, a resource consent is required for any change in hours. Licensees feel that the time and cost involved in applying for a resource consent for a special licence for extended hours is not viable. The Strategy intends to address this concern by clarifying the events or occasions which warrant a special licence, and also by the review of operating hours (see action 1).

<b>Action 7: Special Licences</b>	<b>Responsibility</b>	<b>Timeframe</b>	<b>Resource Implications</b>
(a) The Licensing Policy will include a definition of special licences, and guidelines as to the granting of special licences.	DLA	Within Policy development	Within budget
(b) That there be consistency between the NCC and TDC policies relating to the issue of special licences.	DLAs (Nelson and Tasman)	Within Policy development	Within budget
(c) That Nelson City Council initiate a change to its Resource Management Plan to make it clear that special licenses are not caught by the provisions relating to the hours of operation of licensed premises.	Nelson City Council	To be determined after recommendation to Council	

## A3 Host Responsibility

### Objective 8

**To ensure that licensees adopt best practices in Host Responsibility which contribute to the well-being and safety of drinkers and the community at large.**

#### A3.1 Best Practice Host Responsibility

Host Responsibility refers to a range of actions designed to promote the “responsible consumption of liquor”. These actions include:

- (1) having a reasonable range of non-alcoholic refreshments available on the licensed premises
- (2) providing food for consumption on the premises or to take away
- (3) providing assistance with, or information about, alternative forms of transport from the licensed premises
- (4) the steps to be taken by the licensee to ensure that the provisions of the Sale of Liquor Act relating to the sale of liquor to prohibited persons (intoxicated persons and minors) are observed
- (5) not allowing violent or disorderly conduct on the premises

It is expected that licensees will produce a comprehensive written host responsibility policy with their licence application, and that management will ensure that their staff are aware of and comply with their Host Responsibility policy.

The DLA and the Public Health Service have a wide range of material relating to Host Responsibility requirements. This material is made available to applicants, who are encouraged to read and distribute the information amongst their staff.

Management and staff will be encouraged to participate in Host Responsibility seminars and on-going training. This is facilitated by the Public Health Service, with the involvement of the Police and the DLA. The Hospitality Association of New Zealand (HANZ) seminars for their members can be made available to non-HANZ members

Action 8: Host Responsibility Policies, Practices, Training	Responsibility	Timeframe	Resource Implications
(a) The Councils' Licensing Policy Document will include guidelines as to best practice in Host Responsibility actions.	DLA Nelson and Tasman	On-going	Within budget
(b) Applicants are to provide a comprehensive written Host Responsibility policy, individualised to their premises	DLA Nelson and Tasman	On-going	
(c) Applicants will be provided with appropriate documentation and posters including: information and updates on the Sale of Liquor Act; guidelines for producing a Host Responsibility policy; Host Responsibility posters; a guide on to how to recognise intoxicated patrons; the law about responsible promotions; notices about ID checking.	DLA Nelson and Tasman	On-going	Cost and time implications for each DLA
(d) Encourage general on-going training and upskilling for Managers, and staff, including door staff. Support for training programmes such as Host Responsibility workshops.	Public Health Service; DLA Nelson and Tasman	On-going	Within budget

### A3.2 Public awareness of Host Responsibility

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#### **Objective 9**

#### **To raise public awareness of Host Responsibility.**

The general public have a role to play in ensuring that licensees comply with their Host Responsibility policies. Public awareness campaigns will increase understanding of the responsibilities held by licensees and act as a prompt to improve compliance.

<b>Action 9: Raising Public Awareness of Host Responsibility</b>	<b>Responsibility</b>	<b>Timeframe</b>	<b>Resource Implications</b>
(a) Initiate campaigns aimed to raise awareness amongst the public, eg. provision of food in licensed premises, sales to minors, inappropriate promotions, other topical issues	Public Health Service; DLA Tasman and Nelson	On-going	Within budget
(b) Provide support for, and promote such campaigns through Council's communication media (website, Council newsletters etc).	Councils	As required	
(c) Working with target groups: support interventions carried out by recognised agencies, eg. ACC injury prevention.	DLA Nelson and Tasman; Public Health Service	As required	To be determined

### A3.3 Serving Intoxicated Persons

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#### **Objective 10**

#### **To improve compliance with the Sale of Liquor Act provisions (s.166-168) relating to the serving of intoxicated persons.**

There is a clear link between the level of intoxication of patrons and alcohol related harm; *“Well controlled studies have repeatedly shown that the most significant risk factors for alcohol-related harm coming from licensed premises are the amount of liquor consumed on the premises, and the extent to which obviously intoxicated patrons continue to be served alcohol.”*<sup>15</sup> Therefore, better monitoring of the laws against sales to intoxicated persons will impact not only on individuals' well-being, but also improve safety in the vicinity of licensed premises (or for the community at large).

<b>Action 10: Sales to Intoxicated Persons</b>	<b>Responsibility</b>	<b>Timeframe</b>	<b>Resource Implications</b>
(a) Training will be made available to managers and their staff, to ensure that they are aware of the law and competent in recognising and dealing with intoxicated persons.	Police; Public Health Service; DLA Nelson and Tasman	On-going	Cost implications re training

<sup>15</sup> “Alcohol-related Violence: Trading Hours Policy and the Potential for Use of ‘Lockout’ Conditions”, by Acting Commissioner Steve Long, 16 September 2005, in a NZ Police Report to the National Taskforce on Community Violence Leaders Group.

## **A4 Monitoring and Enforcement**

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### **Objective 11**

**To ensure that alcohol harm is reduced through proactive, consistent monitoring and enforcement.**

#### **A4.1 Monitoring and Enforcement Responsibilities**

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The responsibility for monitoring and enforcement lies with the Police, the District Licensing Agencies, and Health Promotion Adviser (for the Medical Officer of Health).

Each agency has its own set of goals and targets as to the frequency and timing of monitoring visits. In addition, they act on complaints from the public.

These agencies comprise the Liquor Licensing Enforcement Group, which meets monthly to discuss enforcement issues in relation to specific premises. They carry out joint proactive strategies, such as Controlled Purchase Operations, which are used to monitor whether licensed premises are checking evidence-of-age documents, and whether they are selling to minors.<sup>16</sup> The Strategy supports the proactive approach to enforcement, with regular and unscheduled or unannounced Police visits. It is generally accepted that the most effective deterrent to non-compliance and anti-social behaviour is the visibility of the Police, on licensed premises, and in surrounding areas. The need for a greater Police presence is a consistent theme in the consultation undertaken at this stage. *“There is compelling evidence from (other) studies that proactive policing, in itself, can be a powerful deterrent to anti-social behaviour”*<sup>17</sup>.

#### **A4.2 Alco-Link**

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For enforcement to be effective, it is necessary to identify “problem” premises. This will be assisted by the information available from the new police Alco-Link system. *“Because alcohol-related harm is not evenly spread amongst licensed premises, there is a clear opportunity for Police and its partners from local councils and public health teams to use a sound intelligence-based system to direct resources towards the highest risk venues. This is the fundamental underpinning of the new Alco-Link system which Police are implementing. By systematically recording information about the nature, time and location of the incident; the extent to which those involved were affected by alcohol; and where they had their last drink, Police and its partner agencies will be better placed to proactively work with licensees, the wider hospitality sector, door staff, and others, to help drive down alcohol related violence and other alcohol-related offending and victimization problems”*<sup>18</sup>

#### **A4.3 Lockouts**

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A lockout is a voluntary agreement by licensees in a particular area to deny entry to new patrons after a certain hour, usually 1-2 hours before the end of permitted trading hours. This is believed to reduce the migration of patrons between licensed premises, afford greater control over patron behaviour, reduce the number of patrons on the street, and generally reduce anti-social behaviour. Lockouts have been trialled in a number of Australian cities, and NZ Police recommend consideration of lockout policies in some conditions.<sup>19</sup>

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<sup>16</sup> In April 2004, the Sale of Liquor Act was amended to allow minors to buy alcohol or to be in an age-restricted area at the request of police in the course of their duty (S.162(5)).

<sup>17</sup> Steve Long report, page 13

<sup>18</sup> Steve Long report, page 2

<sup>19</sup> Steve Long Report, Recommendation No. 3, page 19,

<b>Action 11: Monitoring &amp; Enforcement</b>	<b>Responsibility</b>	<b>Timeframe</b>	<b>Resource Implications</b>
(a) Each DLA carries out a set number of monitoring visits annually, in accordance with its specific targets. In addition, the DLA will act on complaints from the public.	DLA Nelson and Tasman	On-going	Within budget.
<i>Additional monitoring visits by the DLA may require additional funding – the question of cost recovery (from licensing fees) has been identified as an issue nationally, and may be an issue on which Councils lobby Central Government.</i>			
(b) Police carry out monitoring of licensed premises according to agreed targets, and in response to complaints from the DLA, Public Health Service, or members of the public	Police	On-going	Within budget
(c) Use of Alco-Link information to identify premises associated with higher alcohol-related harm	Police, DLA Nelson and Tasman, Public Health Service	On-going	Within budget
(d) Consideration of introducing a voluntary “Lockout” on licensed premises in the inner city.	Police, DLA Nelson and Tasman, Licensees		

#### A4.4 Sales to Minors

##### **Objective 12**

##### **To improve compliance with the Sale of Liquor Act provisions relating to sale and supply to minors.**

Along with concern about illegal sales to minors, a major concern is the supply of liquor to minors, by friends, parents and other adults. Controlled Purchase Operations (see A.4.1, page 20) have been endorsed by the High Court, and the Police consider they are “an effective mechanism for testing compliance with laws against alcohol sales to minors. Prosecuting licensed premises for selling alcohol to minors sends a strong message not to flout the supply provisions of the Sale of Liquor Act, and it’s an important way that Police can help prevent alcohol-related harm to young people”<sup>20</sup>

<b>Action 12: Sales to Minors</b>	<b>Responsibility</b>	<b>Timeframe</b>	<b>Resource Implications</b>
(a) All licensees in the region are encouraged to seek ID from anyone under the age of 25, prior to entering premises or attempting to purchase liquor.	DLA Nelson and Tasman	On-going	
(b) Licensees and their staff will be encouraged to be vigilant about supply of liquor to minors by other than legal guardians.	DLA Nelson and Tasman; Police; Public Health Service	On-going	
(c) Increase awareness amongst adults in regard to the illegal and irresponsible supply of alcohol to minors.	Public Health Service	On-going	
(d) Controlled Purchase Operations will be carried out at regular intervals.	Police; Public Health Service DLA Nelson and Tasman	At times as by the CPO group	Within budget

<sup>20</sup> Superintendent Dave Trappitt, quoted in NZ Police News, “High Court endorses liquor stings”, National News Release, 27/10/2005

## **B COUNCIL OPERATIONS**

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### **Objective 13**

*To ensure the safe use of alcohol on Council owned/leased premises.*

### **B1 Liquor policies relating to Council property and events**

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Councils will ensure that there are effective policies and procedures in place relating to the safe use of alcohol on Council-owned or leased property and at Council events.

<b>Action 13: Control of alcohol on council property</b>	<b>Responsibility *</b>	<b>Timeframe</b>	<b>Resource Implications</b>
(a) Council leases, concessions and management contracts will contain standard clauses relating to the sale and consumption of alcohol, and requirement for host responsibility policies.	Community Services (NCC)	On-going	Within budget
(b) Council will follow best practice Host Responsibility in relation to all events that it hosts, including staff events and public events.	Council-wide	On-going	Within budget

### **B2 Urban Safety**

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#### **Objective 14**

*To reduce the potential for alcohol-related harm, and enhance city safety, by applying the principles of safe city design, particularly in areas adjacent to licensed premises.*

CPTED principles (Crime Prevention through Environmental Design) will be considered when refurbishing the inner city and surrounds. This will provide a physical environment that discourages anti-social behaviour which occurs around licensed premises at closing times, and enhance the safety and the perception of safety in the area.

Anti-social behaviour is also reported in a number of parks in the inner city zone, both during the day and at night, raising health and safety concerns. This situation will be addressed both by review of the Bylaw (Alcohol in Public Places) as well as by applying CPTED principles to city parks.

#### **B2.1 Inner City Safety**

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<b>Action 14: Urban Design</b>	<b>Responsibility *</b>	<b>Timeframe</b>	<b>Resource Implications</b>
(a) CPTED principles will be considered when refurbishing the inner city including: adequacy of lighting, seating, rubbish bins, safety in alleyways, signage.	Infrastructure (NCC)	On-going	
(b) CPTED principles will be considered in the design and management of parks and reserves.	Community Services (NCC)	On-going	
(c) In partnership with Police, maintain the CCTV cameras in the inner city and signage, and support the monitoring of the CCTVs.	Community Services (NCC)	Ongoing	
(d) Continue to support Night Watch Nelson	Community Services (NCC)	Ongoing	
(e) Liaise with the Safer Community Council re safety issues in the city	Community Services (NCC)	Ongoing	
(f) CCTV cameras in Richmond and Motueka	Tasman District Council		

\* Where the particular Division of Nelson City Council is stated, the equivalent or appropriate Division in Tasman District Council would have responsibility for the action within the Tasman area.

(g) Investigate matters of environmental design and enhancement in terms of contribution to alcohol harm reduction	Nelson City Council	On-going	
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## B2.2 Public Transport as a Safety Feature

### **Objective 15**

***To maximise transport options so as to improve safety for individuals and the public at large.***

#### Discussion

The inability of public transport and taxis to cope with the number of drinkers on the streets at closing time is considered to be a major cause of the anti-social behaviour in the inner city. Access to reliable transport services is also necessary to ensure the well-being of intoxicated patrons who need to be removed from a licensed premises (under the provisions of the Sale of Liquor Act). Host Responsibility requirements place an obligation on licensees to advise patrons about transport options.

The two Councils jointly fund the Late Late Bus, in conjunction with Land Transport NZ. This has proven to be a very popular and successful service, particularly with young people. Services and pick-up points have been extended according to demand. However, there appears to be strong demand for extra services to north Nelson, and more flexibility in drop-off points. The question of reduced or zero fares for certain age groups has been raised, as a means of ensuring the safety of young people.

Liaison with local taxi companies is an important feature of the Strategy, to ensure that taxi services are optimised, to alleviate anti-social behaviour, and enhance inner-city safety.

<b>Action 15: Transport Options</b>	<b>Responsibility *</b>	<b>Timeframe</b>	<b>Resource Implications</b>
(a) Consideration will be given to extending the services of the Late Late Bus (including extra routes, extra drop-off points, and the possibility of a zero charge for younger patrons), when the contract is re-negotiated.	Technical Services (NCC)	June 2007	
(b) Liaison will be carried out with taxi companies and other transport providers re improving accessibility of transport at peak demand times	Technical Services (NCC)	On-going	

### **B3 Council Events**

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#### **Objective 16**

**To provide opportunities for the community to take part in celebrations which may be alcohol-free, or where the safe responsible use of alcohol is demonstrated.**

The Councils provide, or give support to, a range of celebrations and events for the public, which may be specifically for youth, or family events, eg. Opera in the Park, Christmas in the Park, Masked Carnivale, Lantern Carnival, the Cusp. (For the full list of events, refer to Appendix 2).

These events may be alcohol free (all youth events are alcohol free), or alcohol may be available in the context of safe responsible usage. These events can reinforce positive messages, that celebrations can take place without alcohol, or that alcohol can be enjoyed in moderation in a safe responsible manner.

<b>Action 16: Council Events</b>	<b>Responsibility *</b>	<b>Timeframe</b>	<b>Resource Implications</b>
(a) To provide alcohol-free community events	Community Services	On-going	Within budget
(b) To promote the safe responsible use of alcohol at events where alcohol is permitted	Community Services	On-going	Within budget
(c) Maintain the guidelines "Planning Safe Events".	Public Communications; Community Services	On-going	Within budget
(d) To provide alcohol-free events for youth, such as The Cusp	Community Services	On-going	Within budget

## C PARTNERSHIP

### C1 Developing partnerships

#### Objective 17

#### **To formalise partnerships with lead agencies, key stakeholders and community organisations involved in alcohol-harm reduction.**

The lead agencies involved in alcohol-harm reduction are the Police, District Licensing Agencies, and the Public Health Service. The Councils will develop formal partnerships through a Memorandum of Understanding or similar means with these agencies, with the common goal of alcohol-harm reduction across the community.

In addition, the Strategy will aim for liaison amongst all community based groups and welfare agencies whose work is alcohol-related (see appendix 3 for list of stakeholders).

Key stakeholders have input with the lead agencies through the **Liquor Liaison Group**. The purpose of this group is to disseminate information amongst stakeholders, and to raise issues of common interest or concern. The group currently consists of the Police, the two DLA's, Health Promotion Adviser, Hospitality Association of New Zealand, Alcohol and Drug Clinic, Land Transport New Zealand, Iwi Liaison, NCC Road Transport Co-Ordinator, Medical Officer of Health. Other interested groups are invited as appropriate.

**Local Alcohol Accords** are a voluntary code of practice, in existence in some parts of New Zealand. They involve all licencees in a particular area, DLA, Police, Public Health, and other affected parties (eg. nearby businesses). The objective is to encourage compliance and better host responsibility. An Alcohol Accord can encourage co-operation and ensure that other premises are abiding by the rules. There is no Local Alcohol Accord in existence at the moment in the Nelson Tasman region.

It is considered that an Accord is most effective when there is a specific event or situation (eg. the Auckland Viaduct Basin Accord set up for the America's Cup). As such, an Accord may have a limited life span.

Action 17: Partnerships	Responsibility	Timeframe	Resource Implications
(a) Signed agreements will be developed with lead agencies working towards the common goal of alcohol-harm reduction	Police Public Health Service DLA's	Within 12 months of adoption of the final strategy	Nil
(b) Carry out formal liaison with key stakeholders through the Liquor Liaison Group	Councils and identified key stakeholders	On-going	Within budgets
(c) Consider the development of a Local Alcohol Accord. Carry out investigation into the general support for and feasibility of an Accord, and funding requirements for any administration and co-ordination.	DLA Nelson and Tasman; Police	6-12 months	
(d) Liaison will be carried out with community groups whose work incorporates elements of alcohol-harm reduction			
(e) Consider other means of networking and communicating with licensees and managers, eg. through email or website, DLA newsletters	DLAs Police Public Health Service HANZ		

## C2 Young People and Alcohol

### Objective 18

#### *To promote the safe and responsible use of alcohol by young people.*

Council currently works with young people and funds various projects to provide safe alcohol-free events and venues (dg. The Hub, The Cusp).

#### Discussion

A consistent theme in consultation has been the importance of providing safe gathering places for youth, and the provision of "things to do", and events.

There is anecdotal evidence of youth access to alcohol at progressively younger ages, with reports of 12-16 year olds frequently under the influence of alcohol in the inner city at night. The Maori Wardens currently play a vital role in working with young people. The Strategy recommends that more assistance (financial and otherwise) be considered so that the services of Maori Wardens can continue and expand.

As part of the Summer Strategy, Street Ambassadors will be patrolling on foot the Nelson CBD every weekend in the summer holidays and every night during the peak holiday time after Christmas. They will be in communication with Police, Maori Wardens and NCC, offering assistance to people on the streets between 11pm and 4am.

Action 18: Young People	Responsibility *	Timeframe	Resource Implications
(a) To consult with young people, through the Youth Council, Youth Hui, and other means, about attitudes to alcohol, and effective alcohol-harm reduction measures.	Community Services (NCC); NCC Youth Council: Public Health Service	On-going	Within budget
(b) Support opportunities for youth to have a safe gathering place and alcohol-free events.	Community Services (NCC)	On-going	Within budget
(c) Continue funding for the Summer Strategy and Passport, which incorporate safe alcohol messages. (see appendix 4 for list of activities in the Summer Strategy)	NCC and partners (see Appendix 4)		Budget
(d) Continue to provide funding for Youth Event Support (YES), which assists young people to organise their own alcohol-free events	Community Services (NCC)	On-going	Within YES budget
(e) Encourage licensees to do ID checks on all people under the age of 25 (see action 8(e))	DLA; Public Health Service; Licensees		
(g) Support Maori Wardens in their work with young people. Consider funding their work.	Community Services (NCC)	For 2007-08 budget year	To be determined
(h) Continue funding for Street Ambassadors	Community Services (NCC)	On-going	

## D ADVOCACY AND EDUCATION

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### Objective 19

*To promote the safe and responsible use of alcohol throughout the whole community.*

Action 19:	Responsibility	Timeframe	Resource Implications
(a) Promotion within the community in general, or particular segments, on alcohol-related harm, and responsible use of alcohol	Public Health Service; Police DLAs; Councils; Schools/colleges	On-going	Within budgets
(b) Information will be provided to the community via Council communication devices, including websites, Live Nelson, TDC newsletter.	Councils	On-going	Within budgets
(d) Links set up on Councils' websites to ALAC and other appropriate sites	Councils	By June 2007	
(d) Council publications will include messages that promote responsible and safe use of alcohol	Councils	On-going	
(e) Partners in the Strategy will advocate to Central Government on issues that are relevant to their particular terms of reference, or on topical issues, eg. review of alcohol advertising and sponsorship.	Individual agencies	On-going	Within budgets

## E EVALUATION AND REVIEW

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### Objective 20

*To measure the effectiveness of the Strategy in its goal of alcohol harm reduction.*

Action 20:	Responsibility	Timeframe	Resource Implications
(a) Establish base line data against which to measure progress	Police; Public Health Service; DLAs; YATA Group	12 months	
(b) Agree a means of collecting and analysing this data	Police; Public Health Service DLAs; YATA Group	12 months	
(c) Conduct an annual review of the Strategy	Councils	12 months from final adoption	Within budget

## F ANNUAL PROJECT

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### Objective 21

*To minimise alcohol-related harm in a particular sector of the community, or in relation to a particular issue.*

Action 21:	Responsibility	Timeframe	Resource Implications
(a) Carry out one project annually targeting a specific sector of the community or a particular issue.	Councils and agencies together in consultation	For 2007-08 budget	To be determined

## Long Term Council Community Plans

### Proposed Outcomes

During 2005, both Councils undertook consultation and development of community outcomes. Although these outcomes will not be finalized until mid 2006, they have received strong public support.

#### **Nelson City Council**

##### People Friendly Places

*We build healthy and attractive places and live in a sustainable region*

##### A Strong Economy

*We all benefit from a sustainable, innovative and diversified economy.*

##### Kind Healthy People

*We are part of a welcoming, safe and healthy community*

##### Good Leadership

*Our leaders are proactive, innovative and inclusive*

*We work together as a region, think of the generations that will follow, and listen to the full range of views.*

*Leaders consult with and understand their communities and work for the good of all.*

*Our leaders act to improve the big issues facing our community.*

#### **Tasman District Council**

*Our built urban and rural environments are functional, pleasant, safe and sustainably managed*

*As a community we have developed methods and strategies to manage future development*

*Our vibrant community is safe, well, enjoys an excellent quality of life*

*We enjoy health lifestyles, work and living spaces*

*We care for and support our vibrant youth ...*

*Our diverse community enjoys access to a range of spiritual, cultural, social, educational and recreational services*

*Our youth are engaged in thinking about and creating our future*

*Our participatory community contributes to district decision making and development*

*We have taken responsibility for our future*

*We actively work together with the authorities to make the best locally supported decisions*

*Our planning is proactive, thorough, realistic, and anchored by a shared vision, a big picture against which we reference our choices.*

## APPENDIX 2

### Public Events

Arts Festival:
• Nelson Arts Festival Carnivale
• Masked Parade
• Sculpture Symposium
Sealord Summer Festival:
• Opera in the Park (Sealord Night with the Stars)
• Christmas in the Park
• Lantern Spectacular
• Trolley Derby
• Teddy Bears Picnic
• Buskers Street Theatre Series
• Uniquely Nelson Market Day
• Street Beat
• Summer Movies Al Fresco
• Summer Shakespeare
Youth Events
• The Cusp
• Sunnyside Up
• Events following Masked Parade
• Other events organised by Youth Council
General:
• Motueka Starlight Parade
• Carols by Candlelight
• Founders Christmas Carnival
• The Big Phat Chill
• Families Party in the Park
• Phat 06 International Drum n Bass Camp
• Jazz Festival: Jazz in the Park
• Kite Festival
• Rose Day
• Nelson School of Music Winter Festival
• Ecofest

This list contains some of the public events organised by Nelson City Council and Tasman District Council, or events in which they participate. It is not at this stage a complete list.

## APPENDIX 3

### LEAD AGENCIES AND STAKEHOLDERS

#### Lead Agencies: Police, DLA, Public Health Service

##### Police:

- monitoring and enforcement of the provisions of the Sale of Liquor Act
- enforcement of the Alcohol Bylaw
- maintenance of law and order
- checking applications for licence and managers' certificates

##### District Licensing Agencies (Nelson and Tasman):

- issue of liquor licences with attached conditions
- licence renewals
- issue of general managers' certificates
- inspection and monitoring of premises to ensure compliance with conditions of licence
- inspection of premises for compliance with Building Act and Public Health Act
- host responsibility

##### Public Health Service:

- Promoting Host Responsibilities and licensees' responsibilities under the Sale of Liquor Act 1989.
- Host Responsibility monitoring, reports, compliance monitoring.
- Develop well-targeted alcohol and drug harm minimisation initiatives.

#### Other stakeholders

The Strategy will also provide for liaison with those agencies and stakeholders. Agencies identified at this stage include:

- Hospitality Association of New Zealand (HANZ): voluntary trade association for hospitality businesses. Provides advice and updated information on liquor licensing matters. Provides training and seminars. Advocates to Government.
- Accident Compensation Corporation: current campaign targeting alcohol-related injuries
- Alcohol Advisory Council of New Zealand, (ALAC): Established by the Government, to encourage responsible use and minimise misuse of alcohol. Carries out research, public campaigns, information service to providers and the public, policy advice to Government.
- Te Korowai Trust: provides a range of health, social and employment services which target the Nelson urban Maori community
- Iwi and Urban Maori: Ngati Koata Trust Health & Social Services; Whakatu Marae Health & Social Services; Maori Wardens

It is anticipated that the Strategy will provide for liaison with all agencies and organisations involved in, or with an interest in, alcohol harm reduction, and the issues raised in the Strategy, including (but not limited to);

- Licensees
- Taxi companies and transport providers
- Maori Wardens
- Youth services and youth organisations
- Violence Intervention Network
- Schools
- Churches
- Drug and alcohol counsellors and support workers
- Victim Support
- Chamber of Commerce (representing business, retailers and accommodation providers)

## APPENDIX 4

### Summer Strategy

Nelson City Council Summer Strategy includes:

- The Passport
- Youth Ambassadors (beach)
- Street Ambassadors (CBD)
- The Cusp New Years Eve Event
- Maitai Camp

Partners in the Summer Strategy:

- Nelson City Council
- Nelson Cancer Society
- Police

### PROXY INDICATORS FOR ALCOHOL USE BY YOUTH IN NELSON

Prepared by Jude Miller Consulting May 2005, for the Youth Access to Alcohol (YATA) Group Nelson.

**Note:** *This study was commissioned by the Nelson YATA group to assist in measuring the effectiveness of strategies aimed at reducing youth access to alcohol. Data was sourced from Police, Ministry of Education, hospital accident and emergency admissions, Ministry of Transport, The alcohol and other drug clinic, ADA Helpline and a local health centre.*

*The qualitative survey was conducted to obtain the opinions of 15 Nelson professionals working with young people.*

*The statements in the Executive Summary refer only to the age group of the study, ie 12 to 24 year olds, not to the population as a whole.*

### EXECUTIVE SUMMARY

Emergent themes from the proxy indicators are probably not surprising to those involved in this area of research.

- Most activity involving alcohol in Nelson is undertaken by 18-19 year old males. This includes arrest, motor vehicle accidents, drink-driving and alcohol and drug clinic referrals. Nineteen year olds also account for the highest number of arrests with extreme and moderate levels of intoxication.
- Eighteen year olds have the highest number of referrals to the AOD clinic for 'alcohol only' issues while 19 and 22 year olds have the highest frequency for 'alcohol and drug' referrals.
- Drinking by females accounts for around a fifth of all drinking problems. A higher proportion of females (28%) were arrested with extreme intoxication compared to males (22%) while similar proportions (48%) of males and females were arrested with moderate levels of intoxication.
- Trends in female 'alcohol and drug' referrals have increased very slightly in the last two years while female 'alcohol only' referrals have been falling off.

Naturally, more people in the older age group, 18-24 year olds, drink than those in the younger age group, 12-17 year olds. Further, higher proportions (50%) of 18-24 year olds were arrested with moderate levels of intoxication compared with 43% of arrests for those aged 12-17 years old. The proportion of those extremely intoxicated was the same for both groups. However, while actual numbers are falling, an increasing *proportion* of younger people are now involved in drink-driving incidents than five years ago.

Referrals have been increasing at a faster rate for 'alcohol and drug' issues for those in the 18-24 year old age bracket in the last year. The rate of increase has not been as high for the younger age group. Declines have been observed for both age groups for referrals for 'alcohol only' issues.

- Of ADA helpline calls, a higher proportion were made from the 18-24 year old age group compared to those from the 12-17 year old age group.
- However, a higher proportion (35%) of girls in the younger age group accessing emergency contraception had been using alcohol compared to only 21% of those aged 18-24 years old.
- Maori account for around 29% of arrests but only 21% of drink driving incidents. The latter proportion has fallen slightly over the last few years.
- Intoxication levels for Pakeha and Maori in Nelson are similar; that is the proportion of those arrested with moderate levels of intoxication did not vary greatly between both groups.
- Recently the majority (80%) of Maori, referred to the AOD Clinic, have sought help for 'alcohol and drug' issues. This has increased from 60% in the previous year. A higher proportion of Maori now seek help for alcohol dependence issues than for alcohol harm or abuse issues. Only 10% of calls to the ADA helpline were from people identifying as Maori.
- Arrests where excessive alcohol use was found have not increased in the last year, while arrests with moderate use of alcohol have increased. The assessment of whether alcohol use is extreme or moderate is at the discretion of individual Police officers.
- Alcohol was involved in nine cases of students being stood-down in 2004; this was down from 22 cases for alcohol use in the previous year.

A survey of fifteen professionals working with youth in the Nelson region found:

- Nearly all agreed that Nelson has a problem with youth drinking which was justified by observances of increases in binge drinking, crime (including sexual crimes), results of the lowering of the drinking age, increased prevalence of unprotected sex resulting in more sexually transmitted infections and pregnancies and poor adult role modelling as regards drinking.
- In relation to crime, the most commonly reported effects were vandalism, assaults, drink driving, theft, abuse (including domestic violence) and sex crimes.
- Alcohol effect in education was seen in a lack of focus and motivation observed in youth as a result of alcohol use, truancy (including group truancy), lack of performance by youth including learning ability and tiredness observed in young people on Monday mornings.

- Work impairment from alcohol was reported in increases in absenteeism, loss of performance, alcohol use causing youth to be unreliable employees, and loss of license (from excess blood alcohol results) leading to increased difficulties in obtaining employment.
- The main health related issues from alcohol use were listed as unprotected sex leading to Sexually Transmitted infections (STIs) and pregnancy, dependence issues, behavioural problems, increased potential to overdose, low self esteem and poor self care, injuries from motor vehicle accidents and long term health problems associated with alcohol use.
- Most respondents reported that harms associated with alcohol had increased in Nelson in the last two years. This was manifested in an increase in problems associated with a younger age group now drinking, the increased availability of alcohol, increase in recreational drug use alongside alcohol use, violence and assaults including sexual assaults and increase in unprotected sex.
- The most influential factors on youth drinking were the reduction in the legal purchasing age, adult behaviour, easy access or availability, and peer pressure. To a lesser extent advertising, TV/movies and certain events (such as after ball functions) were also seen as influential factors.
- Alcohol is perceived to be obtained primarily from older peers, followed by parents. To a lesser extent young people acquired alcohol from other adults while others purchased their own alcohol.
- The most important observations made by the professionals associated with young drinking were the extent of binge drinking, younger people now drinking, availability of pre-mix drinks and spirits aimed at youth, acceptability of youth drinking, lack of parental guidance and support, excess drinking in public places and unprotected sex.
- Increased numbers of groups presenting to professionals included youth aged 12-14 years old, 15-17 years old, females, Pakeha, Maori and Pasifika. (All were reported by six or more people).