

MINUTES OF THE LOCAL ALCHOL POLICY HEARINGS OF THE KAIKŌURA DISTRICT COUNCIL HELD AT 1.00PM ON WEDNESDAY 11 FEBRUARY 2020, TOTARA ROOM, COUNCIL CHAMBERS, 96 WEST END, KAIKŌURA.

PRESENT: Councillors V Gulleford (Chair), N Pablecheque, R Roche, D Millton

IN ATTENDANCE: A Oosthuzien (Chief Executive Officer), M Mitchell (Building and Regulatory Manager), E Turner (Committee Secretary)

APOLOGIES: Mayor C Mackle, Cr T Blunt, Cr J Howden
Moved Cr, second Cr, and resolved that apologies be accepted.

KARAKIA: Cr V Gulleford

1. DECLARATIONS OF INTEREST:

Nil

2. MATTERS TO BE RAISED AS URGENT GENERAL BUSINESS

Nil

3. Submitters to be heard

3.1. Future Kaikōura

Supportive of some but not all of the policy. There is no collective vision for the town for setting the direction of alcohol. It is difficult for low risk operators to provide tasting and sales of their product in the community if they want to share a story about their product and Kaikōura. It can be done in other districts. The policy is lacking a view of economic and social wellbeing. Why should responsible businesses and public penalised because of the behavior of few. Do not support the maximum trading hours of 1am. It doesn't allow for any vibrant night life and puts restrictions on trading. Offenders are likely regardless of laws in place.

Difficult to see benefits for closure from 10pm for off-license when legislation is 11pm. What is the benefit? There is a need for parts of premises to be able to designate for youth to come and have dinner eg. sport teams. Don't support a one-way door policy. The discretionary policy at the end is vague. What products a business sells should be a business decision. Why are we asking the police re earlier closing time when Council are setting a direction?

3.2. Farmers Market

Started in 2013, it has been used as a platform for a lot of local business to start up and used as a test ground. To date we have had struggles with liquor license. It runs from 10am-1pm on a Sunday morning, low risk time and the goods are high cost products, so it's not a product people are going to consume in large amounts. Two breweries no longer attend. The cost is \$300 for 12 licenses, with no flexibility to change with bookings needed 4 months in advance. We have requested that Farmers Market take out a license to cover all 3 businesses. Legislation restricts however wine festivals such as North Canterbury, I can attend without having an on license.

They take out a wine license on behalf. Alcohol industry is understandably highly legislated however, where Council has control, we would like help and consideration.

3.3. *Esses Wines*

Extending the 12 special licenses. We cannot do other events in Kaikōura. On a bigger perspective encourage development, depth to our economy. Experience over standard definition of a shop or café. A story and experience attracts consumers to products.

What fits in between special license and full bar license? Potentially setting up cellar door in future. What are we trying to achieve? What is the bigger picture? How do we develop policies from a business perspective? It's about the experience.

3.4. *Hamish and Caroline Simpson*

On behalf of the community and as affected parties currently operating two businesses affected by the policy. The LAP doesn't take into account Kaikōura hospitality sector. The unique size of the district, few number of licenses has not been taken into consideration. Policy's that fit Kaikōura moving forward. 8am is acceptable start time for on license, 1.00am end of trading restricts flexibility to set finish times at individual venues. 2am is more acceptable as is our neighbouring Hurunui District Council. None of the destination districts have restrictions to 1.00am. Disagree the possibility of an imposed one-way door policy set at 12.00am. The policy unfairly restricts access to all licensed premises and potentially require additional staff to maintain, increased security costs currently sourced from Christchurch. Kaikōura is small enough to make in house decisions. There is no evidence of success of a one-way door policy in reducing alcohol related harm.

One of the policy goals is the reduction of alcohol related harm. It has not been communicated to us, what harm is currently being caused in our community, no discussions with the business group. No evidence seen that supports figures provided to the community of public health in 2019 were not specific to Kaikōura. Other environmental factors that contribute are pre loading prior to coming out to venues and the use of substances. Overlooking a person's own responsibility for their actions. We take pride in our controlled venues and have a belief that they are a big part of our community. LAP shouldn't just suit agencies unless work with full stakeholders and people and businesses operating liquor licenses, all social and economic consequences are thoroughly considered.

3.5. *Hospitality New Zealand*

Kelly Crawford speaking. Submission on behalf of the 19 vendors in Kaikōura. There has been a lack of actual evidence outside of the statistics for the region. Pre loading is major contributor to alcohol related harm. Reducing trading hours, people who want to drink will still drink and will still go back to commercial accommodation and party on at night. It puts commercial operators and air bnb's at risk, they are unable to manage alcohol related harm increasing police call outs and are not regulated.

3.6. *Health Promotion Agency*

Cathy Bruce and Stuart Dodd called in to the hearing and summarized main points in the submission. HPA advises government and other stakeholders. Drinking behavior is influenced by the environment. The policy was clear and concise and easy to understand. It supports the goals and objectives in the draft Local Alcohol Policy. Supportive of proposed trading hours.

Research shows a reduction in alcohol related harm with a reduction in hours. Suggestions are very minor. Encourage the council to be bold and make decisions in consultation with the community.

3.7. Alcohol Health Watch

Dr Nicki Jackson and Nathan Cowley called in. On license trading hours are great, in full support of 1.00am closing for on license however suggest to separate out cafes and restaurant and have them close at midnight. Principal business of café is food, not becoming a tavern. Trading hours are the way to go to address alcohol related harm. Recommend the opening hours and closing hours to be separate element. Should further on licenses be granted, if not, then what are the options. A thriving hospitality scene is good, however, too many outlets are counterproductive. We support the one-way door policy. Recommends that Council considers specific measures for licenses for conveyances. We note trading hours of New World is 8.30pm. If we want to use trading hours to reduce harm, 9pm would offer even more protection than closing at 10pm. Suggested opening hours 10am to reduce accessibility. Is a cap appropriate? Do we have enough bottle stores here already?

Submission hearings closed at 2.15pm.

SUMMARY SUBMISSIONS AND MANAGEMENT REPORT

A summary of responses from submitters not being heard were read out by the Chair.

The licensing inspector’s comments were read out by Mr M Mitchell, Building and Regulatory Manager.

The Chair acknowledges Cr J Howden who arrived to the meeting.

DELIBERATIONS

The council then reviewed the various submission and made the various decisions

Topic	Decision	Rationale
Opening Hours - off licences	The opening hours were changed to align with the on-licence opening hours.	Council agreed with the contents of the submissions.
Closing Times – On licences	The closing time was extended until 2 am.	Council agreed with the contents of the submissions.
Sale of Mead	Did not agree to change the policy	This a site specific layout issue and we are constrained by the relevant legislation as detailed in the manager’s report
Flexibility in dates for market special licences	Did not agree to change the policy Did not agree to allow arching licences for multiple operators at an event.	Constrained by legislative requirements as articulated in the manager’s response.
Multi business special licence for markets	Policy 2.1 amended to include for a maximum of 26 on-site licences and off-site licences. Covering 26 events (whichever is the lesser).	Council agreed with the comments articulated in the relevant submissions.

Topic	Decision	Rationale
Definition of public bars and entertainment area	Council removed policy 3.2	Council agreed there was no need for this definition.
Did not agree with the One way door policy after midnight	Council agreed that this would remain a discretionary condition as articulated in policy 3.4	Council noted the contents of the various submitters in this regard.
Template for Alcohol Management Plan	No change required	The HPA already have a template and this can be found on their website. Designations are noted in the Sale and Supply of Alcohol Act.
Cap on the number of new on and off licences	No change made	Council did not agree this was currently required.
Club – setting maximum hours	No change made.	Council did not agree this was currently required.
Public bars and places of entertainment to be supervised areas	No change made	This is defined on the definitions of the policy
Additional Conditions for duty managers	Policy 3.5 added for two duty managers to be imposed as a condition of any new or renewal on licence for any hotel or tavern	Council agreed to add this as a condition to minimise alcohol related harm should this be required.
Additional Conditions for duty managers	Policy 3.6 added to impose a condition for a manager for any club should the DLC deem it appropriate.	Council agreed to add this as a condition to minimise alcohol related harm should this be required.

The Council thanked the submitters for their input.

4. CLOSED MEETING

There being no further business, the meeting closed at 4.15 pm.

CONFIRMED

_____ Chairperson

_____ Date