



Order Paper for a meeting

HEARING OF SUBMISSIONS:

Proposed draft

Alcohol Restrictions

in Public Places Bylaw 2018

to be held on

Thursday, 15 June 2023

commencing at 9.30am

in the

Council Chambers, 10 Gorge Road,

Queenstown

9.12 Items of business not on the agenda which cannot be delayed | Ngā take kāore i runga i te rārangi take e kore e taea te whakaroa

A meeting may deal with an item of business that is not on the agenda where the meeting resolves to deal with the item and the Chairperson provides the following information during the public part of the meeting:

(a) the reason the item is not on the agenda; and

(b) (b) the reason why the discussion of the item cannot be delayed until a subsequent meeting.

s. 46A (7), LGOIMA

Items not on the agenda may be brought before the meeting through a report from either the chief executive or the Chairperson.

***Please note** that nothing in this standing order removes the requirement to meet the provisions of Part 6, LGA 2002 with regard to consultation and decision-making.*

9.13 Discussion of minor matters not on the agenda | Te kōreorero i ngā take iti kāore i runga i te rārangi take

A meeting may discuss an item that is not on the agenda only if it is a minor matter relating to the general business of the meeting and the Chairperson explains at the beginning of the public part of the meeting that the item will be discussed. However, the meeting may not make a resolution, decision or recommendation about the item, except to refer it to a subsequent meeting for further discussion.

REFERENCE:

Queenstown Lakes District Council Standing Orders adopted on 17 November 2022.

QUEENSTOWN LAKES DISTRICT COUNCIL

**HEARING OF SUBMISSIONS ON:
PROPOSED DRAFT ALCOHOL RESTRICTIONS**

IN PUBLIC PLACES BYLAW 2018

PANEL MEMBERS

Councillor G Bartlett

Councillor C Ferguson

Councillor Q Smith

Councillor C Tucker

Chair of hearing panel to be determined at beginning of hearing.

**HEARING OF SUBMISSIONS:
Draft Alcohol Restrictions in Public Places Bylaw 2018**



Agenda for a hearing of submissions on the draft Alcohol Restrictions in Public Places Bylaw 2018 to be held in the Council Chambers, 10 Gorge Road, Queenstown on Thursday 15 June 2023 beginning at 9.30am

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Schedule of submitters speaking at hearing

9.35am	Shannon Thomson	Red Frogs New Zealand
9.40am	Darelle Jenkins	Hospitality.org.nz
9.45am	Lt. Andrew Wilson	The Salvation Army
9.50am	Jamie Seymour	Cancer Society Otago and Southland
10.00am	Dr Butchard or Dr McLaughlan	Te Whatu Ora, National Public Health Service – Southern team
10.05am	Simon Matherson	NZ Police

**Hearings panel for the draft Alcohol Restrictions in Public Places Bylaw 2018 /
Ngā ture aukatinga waipiro i ngā wāhi tūmatanui**

15 June 2023

Report for Agenda Item | Rīpoata moto e Rāraki take [1]

Department: Strategy & Policy

Title | Taitara : Submissions on the draft Alcohol Restrictions in Public Places Bylaw 2018

Purpose of the Report | Te Take mō te Pūroko

The purpose of this report is to present the written submissions received by the Queenstown Lakes District Council on the draft Alcohol Restrictions in Public Places Bylaw 2018 / Ngā ture aukatinga waipiro i ngā wāhi tūmatanui (the draft bylaw, **Attachment A**), to provide those members of the public the opportunity to be heard, and to outline options to the Hearing Panel.

Executive Summary | Whakarāpopototaka Matua

- On 23 March 2023, Council endorsed a statement of proposal (**Attachment B**), which included the draft bylaw, for public consultation. Submissions were accepted between 3 April and 5 May 2023.
- Council received 11 submissions on the draft bylaw, and these are included with this report in **Attachment C**. Six submitters requested to be heard on this matter and will speak at this meeting.
- The hearings panel is being asked to receive written and oral submissions and recommend to Council a final form of the Alcohol Restrictions in Public Places Bylaw 2018 / Ngā ture aukatinga waipiro i ngā wāhi tūmatanui. At the Council meeting on 10 August 2023, officers are proposing to present the draft bylaw to Council for it to consider and adopt.
- The key aspects proposed in the draft bylaw that went out for consultation are:
 - continuation of the year round 8pm – 8am bans for Queenstown and Wānaka
 - remove the 8pm to 8am year-round ban for Frankton, Arrowtown and Hāwea, as there is insufficient evidence to support these
 - addition of Christmas and Boxing Day as a permanent ban for Queenstown public places
 - continuation of the 27 December – 6 January ban for Queenstown and Wānaka
 - continuation of Crate Day ban for Queenstown
 - remove the Queenstown Winter Festival ban.

Recommendation | Kā Tūtohuka

That the hearings panel for the draft Alcohol Restrictions in Public Places Bylaw 2018 / Ngā ture aukatinga waipiro i ngā wāhi tūmatanui:

1. **Note** the contents of this report;
2. **Receives** all written submissions to the draft Alcohol Restrictions in Public Places Bylaw 2018 / Ngā ture aukatinga waipiro i ngā wāhi tūmatanui and hears the submitters who wish to be heard; and
3. **Recommend to Council** a final form of the Alcohol Restrictions in Public Places Bylaw 2018 / Ngā ture aukatinga waipiro i ngā wāhi tūmatanui to be adopted, following consideration of public feedback from the submissions.

Prepared by:



Carrie Williams
Policy Manager
7 June 2023

Reviewed and Authorised by:



Michelle Morss
General Manager Strategy and Development
7 June 2023

Context | Horopaki

- Two bylaws are currently under review and are being progressed and consulted on together for efficiency. This includes:
 - Alcohol Restrictions in Public Places Bylaw 2018 - in place since November 2018, last reviewed in 2018 and due for review this year. If the review is completed before October 2023, it is eligible for a ten-year review period.
 - Activities in Public Places Bylaw 2016 - in place since November 2016 and due for review and will expire if not reviewed prior to September 2023. Once reviewed, it will next have a five-year review requirement.
- Both bylaws have reached the stage in the process for hearings. The current progress of the bylaw is set out in the diagram below.



- The review process and key milestones for this bylaw review are summarised below.

Date	Milestone
November 2022	Preliminary engagement – targeted emails to stakeholders as well as the opportunity for anyone in the community to provide general feedback on the bylaw
21 February 2023	Community and Services Committee recommended that Council endorse the draft bylaw for consultation.
23 March 2023	Council resolved to review the draft Alcohol Restrictions in Public Places Bylaw 2018 in accordance with the Special Consultative Procedure and appointed a hearings panel to receive submissions.
3 April – 5 May 2023	Submission period
15 June 2023	Hearings and consideration of options by hearings panel
10 August 2023	Council deliberates and adopts bylaw

The current bylaw

- The bylaw currently bans alcohol in specified public places (Queenstown, Frankton, Arrowtown, Wānaka and Hāwea) mapped in the bylaw as follows (called ‘specified periods’ in the bylaw):

- from 8pm to 8am the following day
 - from 6am on the 27 December to 6am on 6 January of the following year
 - any additional period that may be defined by Council by resolution from time to time.
5. The bylaw also has specific bans relating to Queenstown specified public places only, including:
- National Crate Day 12:00am-12:00am
 - Winter Festival from 6:00am on opening day to 6:00am the day after closing day.
6. The provision in the bylaw to introduce a ban in any additional period as defined by Council resolution has been invoked to ban alcohol on Christmas Day and Boxing Day in 2020, 2021 and 2022, for all specified public places.

The draft bylaw

7. Sections 147(2) and (3) of the Local Government Act 2002 (LGA) empowers councils to be able to make bylaws that regulate or control alcohol relative to public places. Sections 147A and 147B set out statutory criteria that must be met before a council imposes alcohol bans or other controls in a bylaw or by resolution in a bylaw. The effect of the criteria is to establish an evidential threshold for the imposition of alcohol controls, that is different and higher as compared to other bylaws.
8. The 23 March 2023 report to Council discussed the existing evidence for each ban. The evidence was also included as part of the statement of proposal that went out for public consultation (**Attachment B**). Based on the existing information and evidence, changes were proposed to the current bylaw, and are marked up in the draft bylaw.
9. The key aspects proposed in the draft bylaw that went out for consultation are:
- continuation of the year round 8pm – 8am bans for Queenstown and Wānaka
 - remove the 8pm to 8am year-round ban for Frankton, Arrowtown and Hāwea, as there is insufficient evidence to support these
 - addition of Christmas and Boxing Day as a permanent ban for Queenstown public places
 - continuation of the 27 December – 6 January ban for Queenstown and Wānaka
 - continuation of Crate Day ban for Queenstown
 - remove the Queenstown Winter Festival ban.
10. The reason that the Alcohol Restrictions in Public Places Bylaw has '2018' at the end and not 2023 is because it is being reviewed inside of the five years since it was last reviewed. Maintaining the same year in the name signals that it is being 'reviewed' not newly 'made'. This is relevant because when a bylaw is reviewed inside the 5-year period, it is eligible next for a 10-year review period (unless Council elects to review it sooner). A 10-year review period is helpful because if the bylaw is working well, it is a significant savings on resources to not have to review it so frequently. Some submitters opposed a 10-

year review period in their submission. It is open to Council to review a bylaw at any time, the LGA sets out the maximum allowable review periods.

Analysis and Advice | Tatāritaka me kā Tohutohu

Legal requirements for the imposition of alcohol restrictions in public places

11. Sections 147(2) and (3) of the LGA empowers councils to be able to make bylaws that regulate or control alcohol relative to public places. Sections 147A and 147B set out statutory criteria that must be met before a council imposes alcohol bans or other controls in a bylaw or by resolution in a bylaw. The effect of the criteria is to establish an evidential threshold for the imposition of alcohol controls, that is different and higher as compared to other bylaws.
12. The criteria for continuing bans in the current bylaw require Council to show that the same levels of crime and disorder are likely to return if the ban does not continue (section 147A(2)). To introduce a new alcohol ban, *Council is required to show evidence that there is currently crime and disorder* occurring during the proposed ban time, that is linked to alcohol consumption in that place (section 147A(1)).
13. In addition, Council must be satisfied that the proposed controls are appropriate and proportionate in light of that crime and disorder.
14. It is relevant to note that Council's power to impose alcohol bans in the LGA is not proactive or preventative; it must have evidence to show crime and disorder linked to alcohol consumption in public places, to justify a ban.

Submissions received

15. Council received 11 submissions on the draft bylaw and five submitters have requested to be heard. Copies of the submissions are included at **Attachment C**.
16. Minor changes to the bylaw definitions and clarifications to improve readability and alignment with other legislative changes, are tracked in the draft bylaw. The submissions received for each ban area and time are discussed in more detail below, with officer recommendation based on the evidence available.

Continuation of 8pm – 8am bans for Queenstown and Wānaka

17. Existing information supports the continuation of year-round 8pm to 8am bans for Queenstown and Wānaka specified public places. Most submitters supported the bans for these public places.
18. For Queenstown, one submitter commented that in the summer months with more daylight hours, a ban starting at 10pm would be more appropriate. Another submitter said that the ban should commence at 6pm, for both Queenstown and Wānaka.
19. Officers have considered the sufficiency of evidence to support a ban in Queenstown and Wānaka, and are of the view that the ban is proportionate, considering the level of crime and disorder.
20. It is therefore recommended that the 8pm-8am bans for Queenstown and Wānaka public places continue as proposed in the draft bylaw. A request from some submitters to consider a 24 hour/365 day a year ban for Queenstown and Wānaka is canvassed at the end of this section.

8pm – 8am bans for Frankton, Arrowtown and Hāwea public places

21. There was Insufficient evidence to support the continuation of an 8pm to 8am ban in Frankton, Arrowtown and Hawea available when the draft bylaw was endorsed. The formal consultation process provided an opportunity for stakeholders and the community to provide information to support or oppose these bans.
22. Of the submitters who answered the question, the following responses were received, as to whether people supported removal of the bans for Frankton, Arrowtown and Hāwea:

Ban area	Support removal of ban	Oppose removal of ban	Neutral
Frankton (8 responses)	1	5	2
Arrowtown (8 responses)	1	5	3
Hāwea (9 responses)	1	6	3

23. Although there is opposition to Council removing the alcohol bans in Frankton, Arrowtown and Hāwea, there was no information or evidence provided in the submissions to support retaining the alcohol bans in Frankton or Hāwea, as required by the LGA. In its submission, Police explained that this lack of information reflects the prevention first approach taken, where Police engage with the public and seek compliance. However, the LGA does not provide Council with any support to impose a bylaw as a prevention measure. Bylaws must be the most appropriate way of addressing a perceived problem. Where there is no evidence to show that there is a perceived problem, then Council should not impose a bylaw. As such, officers recommend that the bans for Frankton and Hāwea should be removed, as proposed in the draft bylaw.

24. The criteria to be applied to continue an alcohol ban are that:

- the level of crime or disorder experienced before the bylaw was made (and linked to alcohol consumption in the area concerned) is likely to return to the area if the bylaw does not continue; AND
- the proposed controls are appropriate and proportionate considering the likelihood of crime or disorder.

25. For Arrowtown, an April 2023 incident is described at page 6 of the Police submission where an individual was drinking alcohol in a car at approximately 9pm in the current Arrowtown ban zone, got out of the car while continuing to drink alcohol, and assaulted an older male.

26. Whilst recognising the gravity of this incident, it is unknown whether the accused was consuming alcohol in Arrowtown public places prior to the offense. Applying the facts to the first criterion, it is therefore problematic to conclude that the crime is linked to alcohol consumption in Arrowtown public places.

27. Applying the second criterion, Council needs to conclude that to impose an alcohol ban in Arrowtown public places based on this offence is proportionate to the crime that occurred. In other words, that

continuing the ban in Arrowtown public places to restrict all alcohol consumption between 8pm and 8am is appropriate, due to this offending.

28. Officer recommendation is that there is insufficient evidence to support the criteria necessary to impose the ban in the Arrowtown. It is open to the hearings panel to evaluate the existing evidence and assess if a ban is proportionate in light of the evidence available.

Addition of Christmas and Boxing Day permanent ban

29. Based on the information and evidence available, the draft bylaw that went out for consultation proposed to add Christmas and Boxing Day as permanent bans for Queenstown only, and that the ban time commence and end at 8am, in line with other permanent bans. The ban was recommended for Queenstown only because there was no information to show that there is crime and disorder caused by alcohol consumption occurring on these dates for Wānaka, Frankton, Arrowtown or Hāwea.
30. All the people who answered this question supported the addition of Christmas and Boxing Day as permanent bans for Queenstown public places.
31. Evidence used to justify the previous temporary ban resolutions was used as part of the evidential basis for a permanent ban. There is adequate qualitative information of crime and disorder due to alcohol consumption in Queenstown on these dates in the years prior to the temporary alcohol bans being in place.
32. There is no information that shows that there is crime and disorder caused by alcohol consumption occurring on these dates for Wānaka, Frankton, Arrowtown or Hāwea. The written submission from Police indicates that they will be presenting further information orally to the hearings panel that is not contained in their submission. This information may provide evidence of a high level of crime or disorder caused by alcohol consumption in certain public areas on Christmas and Boxing Day.
33. In the absence of this information in advance of the hearing panel meeting, it is recommended that Christmas and Boxing Day are added to the draft bylaw as permanent bans for Queenstown only, and that the ban time be adjusted to commence and end at 8am, in line with the other permanent bans.

Continuation of 27 December – 6 January ban for Queenstown and Wānaka

34. The draft bylaw that went out for consultation proposed to continue the ban for Queenstown and Wānaka public places between 27 December and 6 January of the following year. Information from stakeholders and Police indicates that crime and disorder due to public alcohol consumption continues to be an issue for Queenstown and Wānaka public places during this time.
35. When the bylaw went out for consultation, there was insufficient evidence to support the continuation of the holiday ban for Frankton, Arrowtown and Hāwea, therefore the draft bylaw proposed to remove the ban for these places in the bylaw over these dates.
36. For Queenstown, seven submitters answered this question. Five supported the continuation of this ban, one person was neutral, and one person did not support this ban.
37. For Wānaka, seven submitters answered this question. Four supported the continuation of this ban for Wānaka public places for this period, two people were neutral and one person opposed this ban. The person who opposed the ban viewed that there was sufficient evidence shown to support a ban from 29 December to 3 January, but not for the 10 days proposed. They requested that Police provide more

evidence of crime and disorder for the full date range proposed or adjust the ban timing accordingly. Police are presenting information orally in addition to what is contained in their written submission at the hearing. This may provide more evidence on what date range for this ban is supported by evidence.

38. It is recommended that the hearings panel consider the evidence and information presented by the Police in order to in relation to these bans, in order to inform their recommendation to Council.

Continuation of Crate Day ban for Queenstown

39. The Crate Day ban for Queenstown was added to the bylaw as an outcome of the 2018 bylaw review. The definition of National Crate Day in the bylaw is flexible as it provides for any variation of this event e.g., a popularised, alcohol-focussed, free public event. Evidence used to justify this ban when it was introduced has been used as the evidential basis to support its continuation, alongside the ongoing national uptake and popularity of this event.
40. The draft bylaw continues the Crate Day ban for Queenstown and proposes that the ban times be adjusted to commence at 8am on the date of Crate Day and end at 8pm the next day, in line with the other permanent bans.
41. All eight submitters who answered this question supported the continuation of this ban. One submitter asked whether St. Patrick's Day and other events/holidays could be added.
42. Based on the available information, it is recommended to continue the alcohol ban for Crate Day in Queenstown, noting that Council may implement temporary bans by resolution where there is evidence of a high level of crime and disorder due to consumption of alcohol, and that the ban is proportionate in light of the evidence, can be justified as a reasonable limitation on people's rights and freedoms.

Removal of Queenstown Winter Festival ban

43. Over the past several years, and exacerbated by COVID-19, the Queenstown Winter Festival event has downgraded such that Police have reduced the resources previously engaged to regulate public alcohol consumption. Police no longer consider that there is evidence of crime and disorder due to public drinking to support a ban but will monitor with a view to advocating for reinstatement of a permanent or temporary ban if warranted.
44. The statement of proposal that was accompanied by the draft bylaw stated that it was proposed to remove this ban. One submission opposed removing this ban but did not provide any evidence of crime and disorder to support its continuation.
45. Due to insufficient evidence to support the continuation of this ban, it is recommended that it be removed, in line with the draft bylaw.

The alcohol ban zones

46. The draft bylaw proposes to maintain the alcohol ban zones in the public places in Queenstown and Wānaka as shown in the maps in the draft bylaw. The maps have been updated to improve readability, but no substantive changes have been recommended to the zone areas.
47. Submitters were asked to provide any feedback with respect to the current zones. For Queenstown, the current ban areas were supported (seven responses, five in favour, one against and one neutral).

48. For Wānaka public places, four people supported the current ban areas, two people were neutral and one was against the current ban zones. The person who did not support the current ban zones queried whether there is sufficient evidence of crime and disorder for the lakefront between the Yacht Club and Eely Point, Meadowstone and MacPherson Streets, the Wānaka Golf Course and asked why Lismore Park is not included. They also viewed that the ban zone should not include the public places within residential neighbourhoods.
49. As part of early engagement, officers spoke with Police and stakeholders regarding the ban zones in Wānaka. There was no information regarding any crime and disorder due to alcohol consumption in Lismore Park or Eely Point Reserve, therefore it was not added to the draft bylaw. There is anecdotal information about alcohol consumption along the lakefront from the Yacht Club and including Eely Point.
50. It is open to the hearings panel to recommend that the ban zones in Wānaka be reduced to reflect the evidence of crime and disorder that is available. This could include retaining the public areas around the lakefront and the rugby grounds and Pembroke Park but removing the residential areas and the golf course.

Additional changes proposed in the submissions

51. There was feedback requesting that Council consider a 24-hour, 365 day a year ban for Queenstown and Wānaka, and to consider alternative wording to 'alcohol bans'. These requests are discussed below.

24-hour, 365 day a year ban for Wānaka and Queenstown public places

52. Five submitters provided written feedback in favour of a 24-hour, 365 day a year alcohol ban for Wānaka and Queenstown public places.
53. Police also requested that Council consider a 24-hour, 365 day a year ban when the bylaw was reviewed in 2018 and are of the view that it would prevent harm in Queenstown and Wānaka public places and remain consistent with other authorities both within Aotearoa New Zealand and internationally. As outlined above, Council's power under the LGA to impose alcohol bans is not proactive. It requires evidence showing a high level of crime or disorder caused or made worse by alcohol consumption in these areas during the day from 8am to 8pm. From the current evidence available, there is insufficient data to recommend that a year round 24-hour ban should be introduced for these areas.
54. Whilst the written submission from Police describes incidences of alcohol consumption in Queenstown public places, these don't include descriptions of crime and disorder as an outcome of the alcohol consumption. It is noted that Police intend to present data to the hearings panel orally, in addition to what is in their written submission. The panel may consider this evidence and weight it accordingly, but as a 24-hour, 365 day a year ban is a substantial departure from the draft bylaw that went out for consultation, and further consultation would be required before Council could import this into the draft bylaw. If Council did not do so, there could be a legal challenge to its process.

Alternative wording to 'alcohol ban'

55. Te Whatu Ora | National Public Health Service requested that Council consider alternative wording to 'alcohol bans', such as 'alcohol-free areas' or 'alcohol free zones'. This was also raised when the bylaw was last reviewed in 2018. Council agreed that new signage and educational material promote 'alcohol-free zone', however this was not carried through to the wording in the bylaw.

56. It is open to the panel to recommend changing the wording in the bylaw to ‘Alcohol Free Areas in Public Places 2018’ or similar and using ‘alcohol free areas’ or ‘zones’ instead of the term ‘bans’ in the bylaw, signage and educational material.

Summary of recommendations

57. It is open to the hearings panel to recommend changes to the draft bylaw, from what went out for consultation. These could include:

- changing the bylaw title to “Alcohol Free Areas in Public Places Bylaw (or similar) and wording in the bylaw to ‘alcohol free zones’ or ‘areas’ instead of bans
- reducing the size of the Wānaka ban zone area to reflect current evidence
- consider additional Police evidence to be presented, in relation to the ban zones and times.

Options and Analysis

58. When reporting to Council, the officer report will need to incorporate a report from the hearing panel. The officer report to Council will identify and assess the reasonably practicable options for assessing the matter as required by section 77 of the Local Government Act 2002.

59. Note that Council can make changes to the draft bylaw as an outcome of formal consultation in response to feedback received, if the changes are within the scope of what is contemplated in the statement of proposal. Material changes to the draft bylaw proposed after consultation that are not contemplated in the statement of proposal may require Council to consult again.

60. **Option 1:** That the hearings panel receive all submissions and recommend that Council endorse the draft Alcohol Restrictions in Public Places Bylaw 2018, recommending minor changes as an outcome of the consultation process, that are within the scope of the statement of proposal.

<i>Advantages</i>	<i>Disadvantages</i>
<ul style="list-style-type: none"> • Responds to information received in the submissions. • Police retain a preventative and enforcement tool to help address crime and disorder associated with consumption of alcohol within some public places. • Ensures that rights and freedoms to possess and consume alcohol within specified public places in the district are appropriate and proportionate considering the evidence of crime and disorder that is linked to the consumption of alcohol in public places. 	<ul style="list-style-type: none"> • If changes are outside the scope of the statement of proposal, further consultation may be required. • If some bans are retained, there may be a risk of challenge due to insufficient evidence of crime and disorder linked to alcohol consumption in these public places. • If some bans are removed, there may be an increase in alcohol-related crime and disorder in public places where alcohol bans are removed. • If bans are continued, the existing limitations of rights and freedoms to possess and consume alcohol within

<ul style="list-style-type: none"> • Acts as a deterrent to the public consumption of alcohol in certain public places. • May facilitate continued low levels of crime and disorder associated with the consumption of alcohol in public places. • There would be no negative economic impact to businesses due to the impacts and perception of crime and disorder associated with the consumption of alcohol in Queenstown and Wānaka public places, if the alcohol bans for these places are retained. • Council retains the ability to establish alcohol bans by resolution if LGA requirements are met. 	<p>specified public places in the district are retained.</p> <ul style="list-style-type: none"> • If bans are continued, the potential to move alcohol consumption in specified public places to other locations is continued, that some people may not support. • There is time and costs associated with implementation.
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61. **Option 2:** That the hearings panel receive all submissions and recommend that Council endorse the draft Alcohol Restrictions in Public Places Bylaw 2018 without any changes from what went out for formal consultation.

<i>Advantages</i>	<i>Disadvantages</i>
<ul style="list-style-type: none"> • Ensures the that the community has had an opportunity to provide feedback on all the proposed changes in the draft bylaw • Police retain a preventative and enforcement tool to help address crime and disorder associated with consumption of alcohol within Queenstown and Wānaka public places. • Ensures that rights and freedoms to possess and consume alcohol within specified public places in the district are appropriate and proportionate considering the evidence of crime and disorder that is linked to the consumption of alcohol in public places. • Acts as a deterrent to the public consumption of alcohol in central Queenstown and Wānaka. 	<ul style="list-style-type: none"> • Does not respond to some of the recommendations raised in the submissions. • There may be an increase in alcohol-related crime and disorder in public places where alcohol bans are removed. • The existing limitations of rights and freedoms to possess and consume alcohol within specified public places in the district are retained. • The potential to move alcohol consumption in specified public places to other locations is continued, that some people may not support. • There is time and costs associated with implementation.

<ul style="list-style-type: none"> • Facilitates continued low levels of crime and disorder associated with the consumption of alcohol in Queenstown and Wānaka. • There would be no negative economic impact to businesses due to the impacts and perception of crime and disorder associated with the consumption of alcohol in Queenstown and Wānaka public places. • Council retains the ability to establish alcohol bans by resolution if LGA requirements are met. 	
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62. **Option 3:** That the hearings panel receive all submissions and recommend that Council not endorse the draft Alcohol Restrictions in Public Places Bylaw 2018.

<i>Advantages</i>	<i>Disadvantages</i>
<ul style="list-style-type: none"> • There would be no limitations of rights and freedoms to possess and consume alcohol within any public places in the district, which some people in the community may support. • There would be reduced time and cost associated with implementation of the bylaw. 	<ul style="list-style-type: none"> • The bylaw would lapse. • Police would lose a preventative and enforcement tool to help address crime and disorder associated to consumption of alcohol within Queenstown and Wānaka public places. • The deterrent to public consumption of alcohol in Queenstown and Wānaka public places would cease. • Having no alcohol ban zones may increase crime and disorder associated with the consumption of alcohol within Queenstown and Wānaka public places. • There may be a negative economic impact to businesses due to the impacts and perception of crime and disorder associated with the consumption of alcohol in Queenstown and Wānaka public places. • There may be a reduced public perception of safety.

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| | <ul style="list-style-type: none">• Council would have no ability to establish alcohol bans by resolution if LGA requirements are met. |
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63. This report recommends that the hearing panel proceed with **Option 1** for addressing the matter and receive the written submissions and hear the submitters who wish to be heard on the draft bylaw. The advantages of this option are to hear further community views on this matter, and to comply with (the special consultative procedure requirements in) the Local Government Act 2002. Recommending that Council adopt the draft bylaw that went out for consultation with minor changes as an outcome of the consultation process, that are within the scope of the statement of proposal, regulates crime and disorder associated with the consumption of alcohol in public places, whilst balancing individual rights and freedoms.

Next steps

64. It is intended Council will consider and adopt the draft bylaw at its meeting on 10 August 2023, to come into effect from September 2023.

Consultation Process | Hātepe Matapaki

Significance and Engagement | Te Whakamahi I kā Whakaaro Hiraka

65. This matter is of low significance, as determined by reference to the Council's Significance and Engagement Policy because:

- the matters have minimal to moderate impact on the community
- the proposal will not change the level of services provided by Council, or Council's capacity
- there is a low level of financial consequence in adopting the recommended option.

66. The persons who are affected by or interested in this matter are residents/ratepayers and visitors to the Queenstown Lakes District.

67. Officers have sought feedback from stakeholders and the community on this bylaw. Council will consider the views and preferences of persons likely to be affected by, or to have an interest in, the matter, as required by the LGA (s.78(1)).

68. The statement of proposal and draft bylaw were publicly notified by advertisement on the QLDC website and in local newspapers, including the Otago Daily Times, the Mountain Scene and the Wānaka Sun.

69. The draft bylaw, the statement of proposal and other supporting documents were made available on the Council's website, at the Council offices at 10 Gorge Road, Queenstown and 47 Ardmore Street, Wānaka.

Māori Consultation | Iwi Rūnaka

70. Council contacted Te Ao Marama and Aukaha to invite any feedback at the pre-engagement and the formal consultation stages of the review of this bylaw.

Risk and Mitigations | Kā Raru Tūpono me kā Whakamaurutaka

71. This matter relates to the Regulatory/Legal/Compliance risk category. It is associated with RISK00018 Damage to the Environment - noise pollution events and facilities and RISK00038 Lack of Alignment - strategies and policies within the QLDC Risk Register. This risk has been assessed as having a low inherent risk rating.
72. The approval of the recommended option will support the Council by allowing it to retain the risk at its current level. This shall be achieved by review of this bylaw to ensure that they respond appropriately to the issues in the district regarding alcohol control in public places.

Financial Implications | Kā Riteka ā-Pūtea

73. Costs associated with this work, such as staff time and advertising, are proposed to be met within current budgets. There are no proposed changes in the draft bylaw to current operational practice.

Council Effects and Views | Kā Whakaaweawe me kā Tirohaka a te Kaunihera

74. The following Council policies, strategies and bylaws were considered:

- the outcomes and principles of the Vision Beyond 2050
- QLDC Annual Plan
- the QLDC Ten Year Plan 2021-31.

75. The recommended option is consistent with the with the principles set out in the named instruments.

76. Provision for bylaw review is included in the Ten Year Plan/Annual Plan.

Legal Considerations and Statutory Responsibilities | Ka Ture Whaiwhakaaro me kā Takohaka Waeture

77. Council is bound by the LGA when making or reviewing bylaws. The base determination, notification and consultation procedures set out under sections 155, 156 and 157 of the LGA, apply. Legal advice was received in relation to the draft bylaw and statement of proposal.

78. Council made the determinations required under s.155 of the LGA before commencing the process of reviewing the current bylaw.

Criteria for reviewing an alcohol control bylaw

79. Council is empowered by sections 145, 147 and 147A-C of the LGA to make bylaws to control the consumption, bringing, and possession of alcohol in public places to reduce alcohol related harm. Section 147A sets additional specific criteria for alcohol control bylaws that are explained above in the Analysis and Advice section of this report.

Reasonable limitation on people's rights and freedoms

80. Council must be satisfied before adopting the draft Alcohol Restrictions in Public Places Bylaw 2018, that it can be justified as a reasonable limitation of people's rights and freedoms. The draft bylaw will limit the

rights and freedoms of persons 18 years and older to possess and consume alcohol within the specified public places and times.

81. The ability to establish additional specified public places and times by separate resolution of Council, does not by itself limit people's rights and freedoms. This is required to be separately considered under section 147B of the LGA prior to establishment of any additional alcohol ban areas.
82. If the proposed draft bylaw comes into force, the specified public places will be limited within central Queenstown and Wānaka. It does not impact possession or consumption of alcohol within private or licensed premises within, or outside of, those areas. Officers consider that the limitation on people's rights and freedoms are reasonable to prevent harm arising from crime and disorder caused or made worse by the consumption of alcohol within the alcohol ban areas.

Crime or disorder

83. For the current bans in the bylaw, Council must be satisfied there is evidence that the level of crime or disorder experienced before the bylaw was made (and linked to alcohol consumption in these areas and times), is likely to return to the Queenstown and Wānaka areas, if the bans in the bylaw do not continue. The evidence provided by Police and other key stakeholders for each alcohol ban is included in the statement of proposal at **Attachment B** to this report and any new information is contained in the submissions booklet at **Attachment C**.
84. As most Police interactions arising related to alcohol being consumed or possessed within the current alcohol ban areas are resolved through bylaw education, it is reasonable to foresee that without a bylaw in place, the ability of Police to educate and in turn prevent alcohol-related crime and disorder occurring within the current alcohol-free area is reduced significantly.
85. With no bylaw in place to act as a deterrent, education and enforcement tool, officers believe the absence of preventative education may lead to crime and disorder, caused or made worse by the consumption of alcohol within the current alcohol ban areas in Queenstown and Wānaka, being likely to increase relative to the low numbers currently identified by Police. This applies to the 8pm to 8am year-round bans for both Queenstown and Wānaka as well as the Crate Day and the 27 December to 6 January ban for Queenstown.
86. There is currently not sufficient information to support any alcohol ban for public places in Frankton, Arrowtown and Hāwea, or the Winterfest ban for Queenstown. Council may choose to impose bans in the absence of sufficient evidence, but risk such bans being challenged.
87. Evidence to support adding Christmas and Boxing Day as a permanent ban in the draft bylaw for Queenstown needs to show there is currently crime and disorder occurring on these days. Police have provided photos and written reports of the crime and disorder caused by large scale alcohol consumption on the lakefront on Christmas and Boxing Day, prior to Council invoking temporary bans.

Appropriate and proportionate in the light of crime or disorder

88. Council must also be satisfied that the alcohol control bylaw is appropriate and proportionate to the crime and disorder likely to arise in the ban areas without a bylaw in place.
89. Because the bans proposed in the draft bylaw focus on specific dates and times where there is evidence of crime and disorder due to alcohol consumption in public places, officers are of the view that they are appropriate and proportionate.

Local Government Act 2002 Purpose Provisions | Te Whakatureture 2002 o te Kāwanataka ā-Kiaka

90. Section 10 of the Local Government Act 2002 states the purpose of local government is (a) to enable democratic local decision-making and action by, and on behalf of, communities; and (b) to promote the social, economic, environmental, and cultural well-being of communities in the present and for the future. The draft bylaw promotes and improves community health and safety by reducing the potential for alcohol related offensive behaviour and harm, damage, disorder, and crime. As such, the recommendation in this report is appropriate and within the ambit of Section 10 of the Act and:

- can be implemented through current funding under the Ten-Year Plan and Annual Plan;
- is consistent with the Council's plans and policies; and
- would not significantly alter the intended level of service provision for any significant activity undertaken by or on behalf of the Council or transfer the ownership or control of a strategic asset to or from the Council.

Attachments | Kā Tāpirihaka

A	Draft Alcohol Restrictions in Public Places Bylaw 2018 / Ngā ture aukatinga waipiro i ngā wāhi tūmatanui (track changes)
B	Statement of Proposal
C	Submissions
D	Current Alcohol Restrictions in Public Places Bylaw 2018

Document revision: 2023-1

Attachment A



**DRAFT Alcohol Restrictions in Public Places
Bylaw 2018
Ngā ture aukatinga waipiro i ngā wāhi
tūmatanui**

Queenstown Lakes District Council

Date of making: [Insert]
Commencement: [Insert]

This bylaw is adopted pursuant to the Local Government Act 2002, by resolution of the Queenstown Lakes District Council on xx.

Deleted: and the Bylaws Act 2010

Contents

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1 Title and Commencement	2	8 Exemptions	6
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6 Additions to Specified Periods and Specified Public Place by resolution	5	Schedule 1 – Specified Public Places	9
7 Temporary Alcohol Restriction Zones	6	Schedule 2 – National Crate Day Restriction	18

Part 1 – Preliminary

1 Title and Commencement

1.1 This bylaw shall be the “Alcohol Restrictions in Public Places Bylaw 2018”.

1.2 This bylaw comes into force on [Insert date].

2 Application

2.1 This bylaw applies to specific public places in the Queenstown Lakes District.

3 Purpose

3.1 The purpose of this bylaw is to control and restrict the possession, consumption and bringing of alcohol, in certain locations within the Queenstown Lakes District, in order to reduce the potential for alcohol related offensive behaviour and harm, damage, disorder and crime and to promote and improve community health and safety.

(a) ~~reduce the potential for alcohol related offensive behaviour and harm, damage, disorder and crime and to promote and improve community health and safety~~

(b) ~~achieve its objective by putting in place controls and restrictions on the possession, consumption and carriage of alcohol, in some public places within the Queenstown Lakes District~~

4 Interpretation

4.1 In this bylaw, unless the context otherwise requires,-

Act means the Local Government Act 2002.

Alcohol means a substance as defined by section 5(1) of the Sale and Supply of Alcohol Act 2012.

Council means the Queenstown Lakes District Council.

National Crate Day means the first Saturday of December, or any other day or days associated with a variation of this event or promotion.

Offence means an infringement offence under section 239A of the Act that is a breach of this bylaw.

Public Place means a place –

Deleted: reduce the potential for alcohol related offensive behaviour and harm, damage, disorder and crime and to promote and improve community health and safety

Deleted: achieve its objective by putting in place controls and restrictions on the possession, consumption and carriage of alcohol, in some public places within the Queenstown Lakes District

Deleted: For the purposes of this Bylaw, the following definitions shall apply

Deleted: — ¶
(a) that— ¶
(i) is or contains a fermented, distilled, or spirituous alcohol; and ¶
(ii) at 20°C is found on analysis to contain 1.15% or more ethanol by volume; or ¶
(b) that— ¶
(i) is a frozen liquid, or a mixture of a frozen liquid and another substance or substances; and ¶
(ii) is alcohol (within the meaning of paragraph (a)) when completely thawed to 20°C; or ¶
(c) that, whatever its form, is found on analysis to contain 1.15% or more ethanol by weight in a form that can be assimilated by people...

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(a) that is open to or is being used by the public, whether free or on payment of a charge, and whether any owner or occupier of the place is lawfully entitled to exclude or eject any person from it; but

(b) does not include licensed premises.

Specified Period means:

(a) ~~for a 12 hour ban,~~ from 8.00 pm on any day to 8.00 am the following day; and

(b) ~~for a 12 day ban, from 8.00 am on 25 December of any given year to 8.00 am on 6 January the following year; and~~

~~(c) for a 10 day ban, from 8:00 am on 27 December of any given year to 8:00 am on 6 January the following year~~

~~(d) 8.00 am on National Crate Day, of any given year to 8.00 am on the following day; and~~

(e) any ~~other~~ period defined by the Council by resolution from time to time in accordance with clauses 6 to 7 of this bylaw.

Specified Public Place means a public place defined or listed in Schedule 1 ~~and 2 of this bylaw~~ and ~~any other~~ place as may be defined by the Council by resolution from time to time in accordance with clauses 6 to 7 of this bylaw.

Temporary Alcohol Restriction Zone means a zone described in a resolution of the Council made under this bylaw in which the prohibitions under clause 7 are temporarily in place in the public places within the zone and during the times, days or dates specified in the resolution.

Vehicle means a vehicle as defined in section 2 of the Land Transport Act 1998, but does not include an ambulance, fire engine or police vehicle.

4.2 Any explanatory notes and attachments are for information purposes, do not form part of this bylaw, and may be made, amended and revoked without any formality.

4.3 ~~Any reference to legislation in the bylaw includes any amendments to that legislation or other Acts made in substitution of that legislation.~~

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Deleted: (c) 6.00 am on the opening day of the Queenstown Winter Festival to 6.00 am the day after the closing day of the Queenstown Winter Festival; and

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Part 2 – Alcohol Restrictions

5 Prohibitions

5.1 ~~No person may:~~

- ~~(a) consume, possess, or bring alcohol into any Specified Public Place during any Specified Period;~~
- ~~(b) consume or possess alcohol in a vehicle in any Specified Public Place during any Specified Period.~~

5.2 ~~Clause 5.1 is subject to any dispensation given under clause 12 and the exemptions in clause 8 and/or under the Act.~~

6 Additions to Specified Periods and Specified Public Place by resolution

6.1 The Council may from time to time by resolution define any ~~other~~ period to be included ~~as a~~ Specified Period as defined in this bylaw.

6.2 The Council may from time to time by resolution define any ~~other place~~ to be included ~~as a~~ Specified Public Place as defined in this bylaw.

6.3 Every resolution made under clause 6.1 or 6.2 above shall be publicly notified at least 14 days before it shall take effect.

Explanatory note: Section 147B of the Act applies before Council makes any resolutions under the bylaw.

7 Temporary Alcohol Restriction Zones

7.1 The Council may declare a Temporary Alcohol Restriction Zone by resolution which will describe the specific zone and the times, days or date during which the prohibitions imposed under clause 5 apply to any public place in that zone.

7.2 A resolution made under clause 7.1 shall be publicly notified at least 14 days before it shall take effect.

Explanatory note: Section 147B of the Act applies before Council makes any resolutions under the bylaw.

Deleted: The following acts are prohibited: ¶
(a) The consumption of alcohol in any Specified Public Place during any Specified Period; ¶
(b) The possession of alcohol in any Specified Public Place during any Specified Period; ¶
(c) The bringing of alcohol into any Specified Public Place during any Specified Period; and ¶
(d) The consumption and possession of alcohol in a vehicle in any Specified Public Place during any Specified Period.

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8 Exemptions

- 8.1 The bylaw does not prohibit, in the case of alcohol in an unopened bottle or other unopened container –
- (a) the transport of that alcohol from premises that adjoin a Specified Public Place during any period when, under the Sale and Supply of Alcohol Act 2012 it is lawful to sell alcohol on those premises for consumption off the premises, provided the alcohol is promptly removed from the Specified Public Place;
 - (b) the transport of that alcohol from outside a Specified Public Place for delivery to premises that adjoin the Specified Public Place, provided the premises are licensed for the sale of alcohol under the Sale and Supply of Alcohol Act 2012;
 - (c) the transport of that alcohol from outside a Specified Public Place to premises that adjoin a Specified Public Place –
 - (i) by, or for delivery to, a resident of those premises or by his or her bona fide visitors; or
 - (ii) from those premises to a place outside the Specified Public Place by a resident of those premises, provided the alcohol is promptly removed from the Specified Public Place.
- Explanatory note: Clause 8.1 outlines the statutory exclusions in section 147(4) of the Act and may not be changed by Council.*
- 8.2 This bylaw does not apply to any areas or activities where the sale or consumption of alcohol is authorised by any licence issued under the Sale and Supply of Alcohol Act 2012, including:
- (a) any public place which is part of a licensed premises' outdoor area, where permission to occupy the area has been granted by the Council;
 - (b) any public place that is subject to a special licence issued by the Council for the term of that licence;
 - (c) any vehicle in a public place to which a licence under the Sale and Supply of Alcohol Act 2012 applies;
 - (d) any event held in a public place at which alcohol is served pursuant to a caterer's licence endorsed pursuant to section 38 of the Sale and Supply of Alcohol Act 2012.

9 Police powers of search in Temporary Alcohol Restriction Zones

9.1 This clause authorises members of the Police to exercise the power of search under section 169(2)(a) of the Act for the purposes of section 170(2) of the Act in relation to any zone which has been declared a Temporary Alcohol Restriction Zone by resolution of the Council under clause 7.

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9.2 Subject to clause 9.3, the powers of search can be exercised by the Police immediately and without further notice.

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9.3 Clause 9.1 only applies if the resolution declaring a Temporary Alcohol Restriction Zone provides that clause 9.1 of this bylaw will apply.

Explanatory note: Council must give public notice pursuant to section 170(3) of the Act before the Police may exercise their powers of search under this clause in relation to Temporary Alcohol Restriction Zone resolutions.

The powers of search given to the Police in section 169 of the Act apply to the prohibitions in clause 5 of this bylaw.

Part 3 – General Provisions

10 Offence

10.1 Every person who breaches this bylaw commits an infringement offence under section 239A of the Act and may be served with an infringement notice under section 245 of the Act and be liable to pay an infringement fee.

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10.2

Deleted: Every person who commits an offence against this bylaw is liable to the penalty imposed under the Local Government Act 2002...

11 Signage

11.1 Where it is practicable and reasonable to do so, the Council will erect signage within public places covered by this bylaw to provide information to the public about the restrictions imposed under the bylaw. The size, location and terms of the signage will be at the Council's discretion.

11.2 To avoid doubt, the absence of signage in any public place does not authorise a breach of this bylaw.

12 Dispensing Powers

12.1 The Chief Executive of the Council may waive compliance with any provision of this bylaw in any case where the Chief Executive is of the opinion that full compliance would needlessly cause harm, loss or inconvenience to any person or business without any corresponding benefit to the community.

12.2 The Chief Executive may consult with stakeholders, including the Police, before granting a dispensation.

12.3 The Chief Executive may in ~~their~~ discretion impose conditions of any such waiver granted under clause 12.1.

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13 Revocations

13.1 The Queenstown Lakes District Council Alcohol Ban Bylaw 2014 is revoked.

DRAFT

Schedule 1 – Specified Public Places

The areas identified below are classified as Specified Public Places in relation to which the prohibited acts in clause 5 of this bylaw apply during the Specified Periods noted under each area.

(i) Queenstown

A 12 hour ban, from 8.00pm on any day to 8am the following day (refer clause (a) of the definition of Specified Period); and

A 12 day ban from 8.00 am on 25 December of any given year to 8.00 am on 6 January the following year (refer clause (b) of the definition of Specified Period).

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Deleted: *<object>*(i) The whole of the Lake Wakatipu foreshore area from the One Mile Roundabout to Park Street and including the Queenstown Gardens; and ¶

¶ *<object><object><object><object><object>*(ii) The area from the foreshore to an outer boundary formed by and including the following street and road reserves:¶

Lake Esplanade ¶

Lake Street ¶

Man Street ¶

Memorial Street ¶

Stanley Street ¶

Coronation Drive

Park Street to the Lake Wakatipu foreshore area directly adjacent to the Queenstown Gardens¶

Schedule 1 Specified Public Place – Queenstown



The information provided on this map is intended to be general information only. While considerable effort has been made to ensure that the information provided on this map is accurate, current and otherwise adequate in all respects, Queenstown Lakes District Council does not accept any responsibility for content and shall not be responsible for, and excludes all liability, with relation to any claims whatsoever arising from the use of this map and data held within.

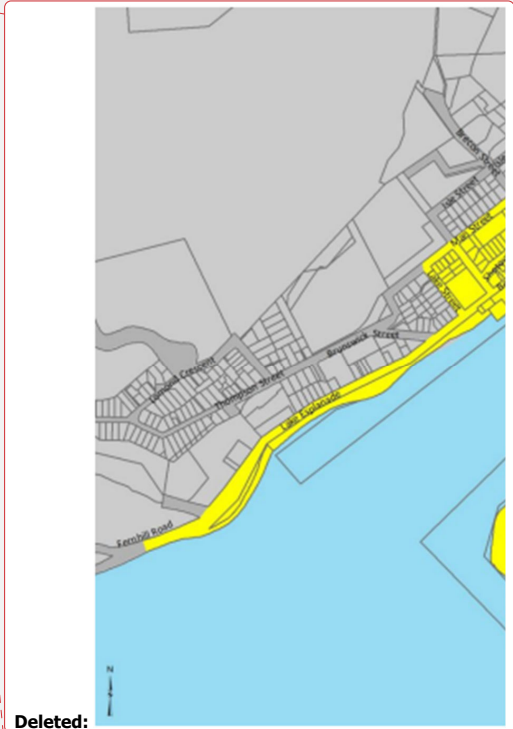


 Specified Public Place

Map Date:
22/02/2023

0 250 500
Scale: 1:10,000 Meters





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Deleted: (2) Frankton ¶

¶
 (i) The whole of the Lake Wakatipu foreshore from the Kowarau Bridge to Frankton Marina, and ¶

¶
 (ii) The area from the foreshore to an outer boundary formed by and including the following streets and road reserves: ¶

- ¶ Bridge Street ¶
- Boyes Crescent ¶
- McBride Street (from Boyes Crescent to Lake Avenue) ¶
- Lake Avenue ¶

... [1]

Deleted: (3) Arrowtown ¶

¶
 The north-eastern boundary being formed by the area 50m to the north of Bush Creek river bank, including Bush Creek Reserve, 100m either side of the Arrow River to the point where the Arrow Irrigation Company pipeline crosses the river, 50m to the north of the Arrow River and including Wilcox Green, O'Callaghan Reserve and the Arrow River 150th Anniversary walking track to and including the bridge to the south of Jopp Street; and ¶

The area from the north-eastern boundary to an outer boundary formed by and including the following streets and road reserves:

- Bush Creek Road
- Manse Road
- Caernarvon Street
- Wiltshire Street
- Hertford Street
- Suffolk Street
- Centennial Avenue
- Jopp Street ¶

... [2]

(2) Wānaka

A 12 hour ban, from 8.00pm on any day to 8am the following day (refer clause (a) of the definition of Specified Period); and

A 10 day ban from 8.00 am on 27 December of any given year to 8.00 am on 6 January the following year (refer clause (c) of the definition of Specified Period).

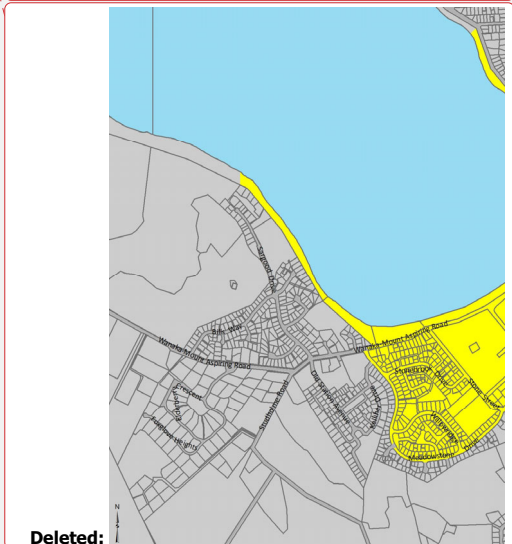
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(ii) The area from the foreshore to an outer boundary formed by and including the following streets and road reserves:
Meadowstone Drive
Stone Street
Golf Course Road ¶

MacPherson Street
State Highway 84 (Wanaka-Luggate Highway)
Ardmore Street



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Schedule 1 Specified Public Place – Wānaka

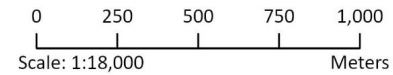


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 Specified Public Place

Map Date:
22/02/2023



Schedule 2 – National Crate Day Restriction

The zone identified below is classified as a Specified Public Place in relation to which the prohibited acts in clause 5 of this bylaw apply during the times and days in clause (d) of the definition of Specified Period.

Deleted: (5) Lake Hawea ¶

¶
The whole of the Lake Hawea foreshore area from Domain Road to Muir Road; and ¶

The area from the foreshore to an outer boundary formed by and including the following streets and road reserves: Muir Road
Cemetery Road
Domain Road ¶

... [3]

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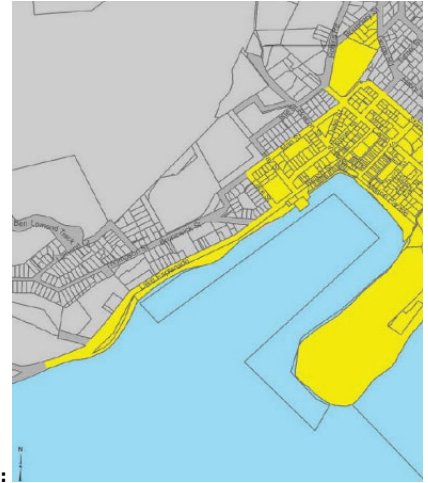
Deleted: (6) Queenstown ¶

¶
The whole of the Lake Wakatipu foreshore area from the One Mile Roundabout to Park Street and including the Queenstown Gardens; and ¶

The zone from the foreshore to an outer boundary formed by and including the following street and road reserves:

Lake Esplanade
Lake Street
Man Street
Memorial Street
Stanley Street

Coronation Drive Park Street to the Lake Wakatipu foreshore area directly adjacent to the Queenstown Gardens Boundary Street Carpark ¶



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Schedule 2 National Crate Day Restriction

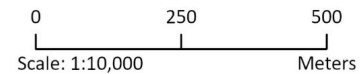


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 Specified Public Place

Map Date:
22/02/2023



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Statement of Proposal

Draft amendments to the Alcohol Restrictions in Public Places Bylaw 2018

1 INTRODUCTION

The purpose of the Alcohol Restrictions in Public Places Bylaw 2018 is to reduce the potential for alcohol related offensive behaviour and harm, damage and disorder and crime, and to promote and improve community health and safety. The bylaw prohibits the possession and consumption of alcohol in specific public places, dates and times within Queenstown Lakes District. It also allows additional permanent and temporary alcohol bans to be established by Council for other public places, dates and times, subject to meeting specific criteria.

The Alcohol Restrictions in Public Places Bylaw 2018 is due for review. Council is proposing to amend the current bylaw, to take effect from September 2023, and we would like to know what you think.

There is a separate statement of proposal for the Activities in Public Places Bylaw 2016, that is also currently being reviewed. That bylaw relates to trading, events, licensed premises tours, distribution of leaflets and the consumption of mind altering substances in public places.

This statement of proposal is prepared under sections 83 and 86 of the Local Government Act 2002 (LGA) and contains:

- a copy of the draft Alcohol Restrictions in Public Places Bylaw 2018 showing the proposed amendments to be made (the 'draft bylaw')
- information about the proposed amendments, including Council's determinations under section 155 of the LGA
- the reasons for the proposed amendments
- how you can have your say
- timetable for consultation.

2 PROPOSED CHANGES

Under the existing bylaw, the areas currently subject to an alcohol ban are (see the maps in the current bylaw: Attachment 2 to this statement of proposal):

- Queenstown, Wānaka, Frankton, Arrowtown, Lake Hāwea specified public places:
 - 8pm – 8am every day
 - 6am on 27 December to 6am on 6 January of the following year, inclusive
- Queenstown specified public places:
 - 12am on National Crate Day (or any variation of this event or promotion) to 12am the following day
 - 6am on the opening day of Queenstown Winter Festival to 6am the day after the closing day of Queenstown Winter Festival.

Council is proposing the following amendments in the draft bylaw:

- addition of permanent bans for Queenstown public places from 8am on Christmas Day to 8am the day after Boxing Day (27 December)
- removal of alcohol bans for specified public places in Frankton, Arrowtown and Lake Hāwea
- removal of the alcohol ban for Queenstown Winter Festival
- adjustment of ban timings so that they all commence or end at 8am

Statement of Proposal

Draft amendments to the Alcohol Restrictions in Public Places Bylaw 2018

- updated maps
- minor changes to the bylaw to improve readability and align with updates to legislation.

All proposed amendments are identified in the draft bylaw by way of tracked changed text (~~strike-through~~ and underlined). Council proposes the changes in the draft bylaw will come into effect in September 2023.

ATTACHMENT 1 – Information and evidence supporting the proposed alcohol bans

3 THE REASON FOR THE PROPOSAL

The key reasons for this proposal are to:

- address crime or disorder caused or made worse by the consumption of alcohol in public places
- seek community views on the review of an alcohol control bylaw
- seek community views on the areas, times and dates subject to an alcohol ban under the draft bylaw
- seek community views on the draft bylaw
- to encourage people to give feedback on the draft bylaw
- to let people know how they can give feedback.

The 23 March 2023 Council report contains more detailed information on these points:

<https://www.qldc.govt.nz/your-council/council-documents/agendas-minutes/full-council>.

4 HOW YOU CAN HAVE YOUR SAY

Anyone can make a submission online at <https://letstalk.qldc.govt.nz>. Submissions will be accepted from 8am on 3 April 2023 and must be received by 5pm on 5 May 2023.

All submissions should state:

- the submitter's name
- the submitter's contact details
- whether or not the submitter would like to speak to Council about this matter.

Copies of this statement of proposal and draft bylaw may be obtained at no cost from either of the Council offices at 10 Gorge Road, Queenstown, 47 Ardmore Street, Wānaka, any Council library within the Queenstown Lakes District or the Council website: at <https://letstalk.qldc.govt.nz>. If you need help submitting please contact Council at 03 441 0499, or call in to one of Council's offices. All written submissions made to Council will be acknowledged and made available to the public.

Council intends to hold a hearing in June 2023. This is when anyone who has made a written submission and who has said they would like to speak to Council, can do so. This meeting will be open to the public. If you indicate you would like to be heard, Council staff will get in touch with you to arrange a time for you to speak at the hearing either in person or via audiovisual link. If at the hearing you have any requirements, please let us know.

Statement of Proposal

Draft amendments to the Alcohol Restrictions in Public Places Bylaw 2018

5 TIMETABLE FOR CONSULTATION

The dates below outline the timetable for the consultation process. Any changes to these dates will be publicly advised on Council's Facebook page and website.

Date	Activity
23 March 2023	Council adopted the proposal for consultation
3 April 2023	Consultation period begins (8am)
5 May 2023	Consultation period ends (5pm)
June 2023	Oral submissions heard by Council hearing panel (date to be confirmed)
18 August 2023	Deliberations and adoption by Council

6 INFORMATION ABOUT THE PROPOSAL

Background

Council has the power under the Local Government Act 2002 to make bylaws to control the consumption, bringing into and possession of alcohol in public places to reduce alcohol related harm.

The current bylaw was established for the purpose of addressing the problem of crime and disorder related to the consumption of alcohol in specified public places within the district. The current bylaw also allows Council to establish further alcohol ban areas within the district as required. The bylaw was last reviewed in 2018 and is due for review this year.

Preliminary engagement was undertaken during November 2022 to gather information as to what stakeholders view as the main issues with the current bylaw. There was feedback that the bylaw is generally working well. There were also comments that the duration and days of alcohol bans should be increased, as well as input that the bylaw prohibits people from having a quiet drink on the lakefront.

Before Council can complete the review of an alcohol control bylaw, it must be satisfied that:

- there is evidence that the area to which the proposed controls will apply has experienced a high level of crime or disorder that can be shown to have been caused or made worse by alcohol consumption in the area; and
- the proposed controls are appropriate and proportionate in the light of that crime and disorder.

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Crime and disorder in this context can involve violence, offensive or threatening behaviour, littering, damage, general noise and nuisance, vandalism and dangerous driving. The key information and evidence to support each of the alcohol bans in the draft bylaw, about which Council is satisfied for the purposes of section 147A of the LGA and the draft bylaw, is contained in Attachment 3 to this statement of proposal. The consultation process allows for additional information to be provided in relation to the proposed alcohol bans in the draft bylaw.

Information about the draft bylaw

The main changes proposed in the draft bylaw are:

- adding 8am Christmas Day to 8am the day after Boxing Day (27 December) as a permanent alcohol ban in Queenstown public places
- removing the 8pm – 8am year round alcohol bans for Frankton, Arrowtown and Hāwea public places
- removing the Queenstown Winter Festival alcohol ban
- aligning alcohol ban times to begin and end at 8am, for consistency (currently ban times vary between commencing and ending at 12am, 6am and 8am)
- updating the bylaw maps to improve readability
- minor changes to wording in the bylaw, to provide clarification and align with legislation updates, etc.

As with the formal review, or making, of any bylaw, it is open to Council to consider other amendments that could be included in the bylaw.

During the consultation process, Council may consider community views that seek to:

- make changes to the alcohol ban times and public places proposed to continue in Queenstown and Wānaka
- add additional public areas that should be subject to alcohol bans (including reinstating current ban areas that are proposed to be removed)
- make additional changes to the draft bylaw
- convince Council not adopt an alcohol control bylaw.

For any changes following the consultation process and before final adoption of the bylaw, Council will need to ensure there has been adequate consultation, and that the changes can be justified as appropriate and proportionate relative to the high level of crime and disorder arising in connection with the amendments sought, and the consumption of alcohol in public places. Council must determine, under section 155 of the LGA, that a bylaw is the most appropriate way of addressing the perceived problems, that the proposed bylaw is in the most appropriate form, and that it does not give rise to any implications under the New Zealand Bill of Rights Act 1990. Council has made these determinations in relation to the draft bylaw.

7 DETERMINATIONS UNDER SECTION 155 OF THE LGA

Council is empowered to make the bylaw in accordance with the Local Government Act 2002 that requires Council to make the following determinations.

The draft bylaw is the most appropriate way of addressing the perceived problem – Council has had an alcohol control bylaw in place since 2002. It is an effective tool used by Police to prevent and quickly address alcohol related harm. Council has resolved that a bylaw is the most appropriate way to address crime or disorder caused or made

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worse by the consumption of alcohol in public places. Further information is available in the 23 March 2023 Council report: <https://www.qldc.govt.nz/your-council/council-documents/agendas-minutes/full-council>.

The draft bylaw is the most appropriate form of bylaw - Council resolved that the draft bylaw is the most appropriate form of bylaw. It allows the alcohol ban areas, dates and times in Queenstown and Wānaka to be easily enforced by Police and provides the flexibility to respond to any need to establish additional temporary alcohol-free areas within the district where a high level of crime or disorder arises.

The draft bylaw does not give rise to any implications under the New Zealand Bill of Rights Act 1990 - While the draft bylaw provides that people can be asked to leave, or to stop consuming alcohol in areas where an alcohol ban applies, Council is required to ensure that when establishing areas where an alcohol ban applies that the bylaw is both appropriate and proportionate to the level of crime or disorder and is justified as a reasonable limitation of people's rights and freedoms. Council has resolved that the provisions of the draft bylaw do not unreasonably interfere with any of the rights granted by the New Zealand Bill of Rights Act 1990.

8 WHAT HAPPENS NEXT?

After it has received written and oral submissions, Council will make decisions on the draft bylaw which is proposed to occur on 18 August 2023. Council may make other changes to the draft bylaw in response to feedback, but anything that is a significant departure from the options set out in this proposal may require further consultation.

If further areas are identified which are experiencing crime and disorder associated with the consumption of alcohol in public places, Council may need to undertake further consultation and analysis in relation to the problem in those areas. Where a problem exists, which is able to be addressed by the bylaw, Council may need to consider establishing a temporary alcohol ban before varying the bylaw to establish a more permanent alcohol ban.

Council will consider the following options about how to proceed:

- **Option 1** – adopt the draft bylaw
- **Option 2** – adopt an amended bylaw
- **Option 3** – do not adopt the draft bylaw (the current bylaw will expire in October 2025).

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Attachment 1: Information and evidence to support proposed alcohol bans

- 8pm – 8am Queenstown, year round

Police submission to 2018 bylaw review

- “When patrolling, Police receive frequent complaints about groups of people upsetting others as a result of those groups consuming alcohol to excess at the beach, particularly in the summertime and during both the day and the evening. There are also similar complaints about the mess that is left behind and the complainant's often express disgust.”

Photos from Police 2018 submission relating to 8pm – 8am alcohol ban:



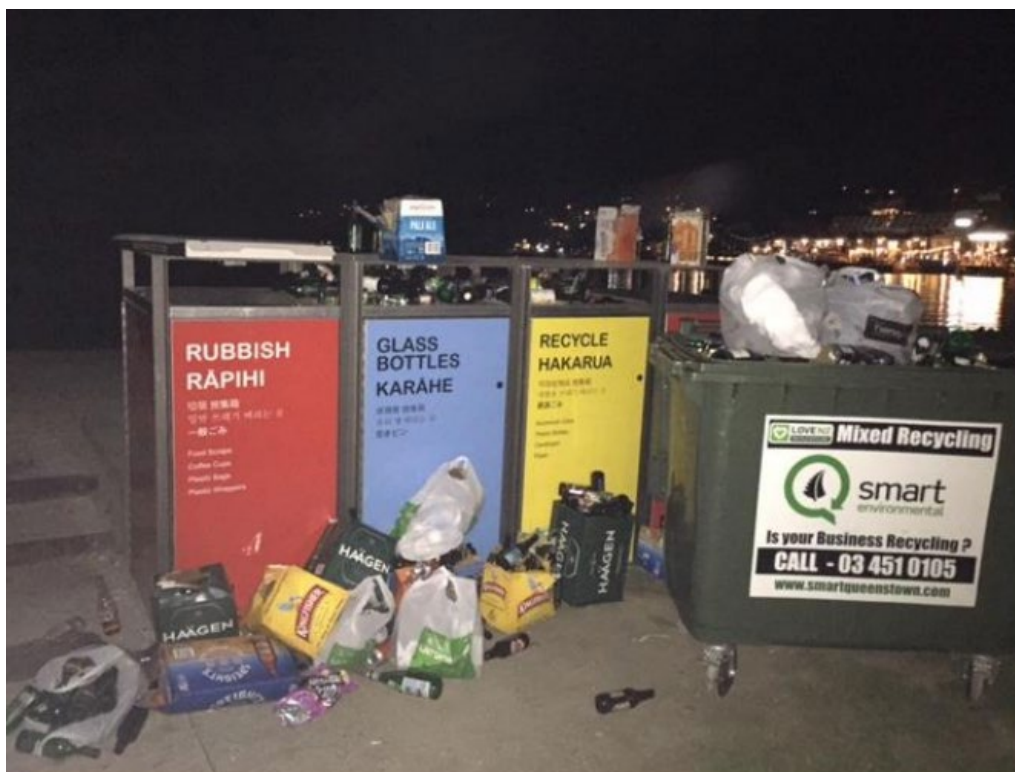
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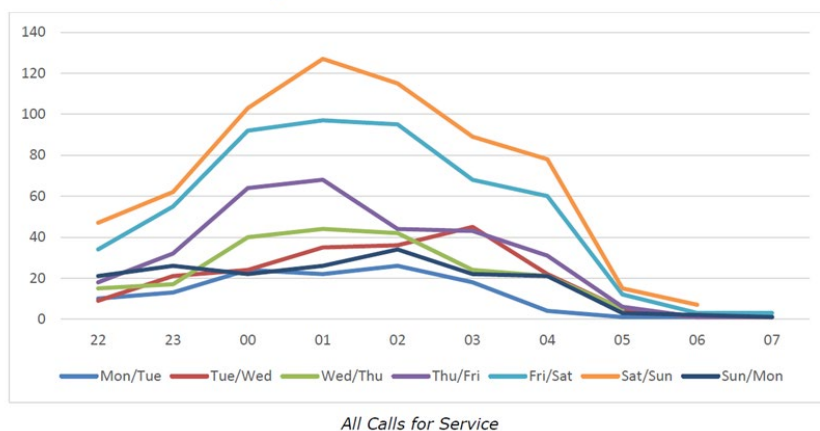
Draft amendments to the
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Calls for Police service

- Data from November 2019 (most recent) shows that Police calls for service in the district are highest at night¹, tapering to low demand during the day. Categories that have been filtered include: assault, disorderly conduct, driving under the influence of alcohol or other substance, drunk home, drunk custody/detox centre, exceeding the prescribed content of alcohol or other substance limit, and liquor and tobacco offences.

Chart 4 - Queenstown 2012-2016 - 2200-0700 hours



All Calls for Service

¹ www.policedata.nz (date accessed: 10 February 2023) and 2017 report from Police: Queenstown Lakes Alcohol Related Offending.

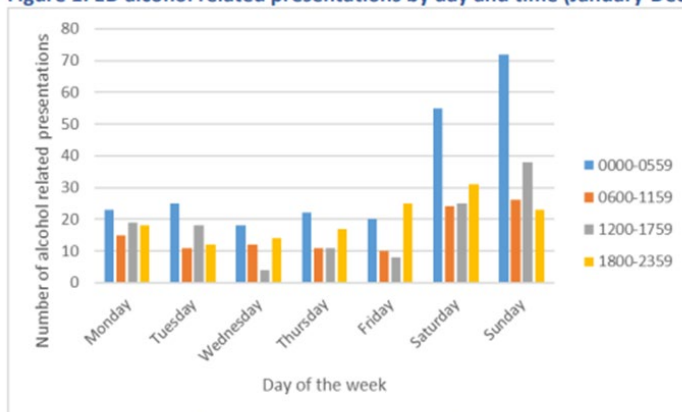
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Southern District Health Board submission to 2018 bylaw review²

- In the period covering July 2017 to June 2018 there were 503 alcohol related presentations at Lakes District Hospital, representing five percent of all Emergency Department (ED) presentations.
- Every week, an average of four people presented to Lakes District Hospital with potentially life-threatening alcohol related conditions (triage levels 2 or 3).
- In general alcohol related presentations were typically 2-3 times higher on weekends and public holidays than weekday rates.
- 55% of cases lived within the Queenstown Lakes District Council boundary; 20% were overseas residents; 15% were from other parts of NZ and 10% were from other parts of Otago and Southland.
- 38% of cases were aged between 18-24 years while 36% were aged between 25-34 years.
- Males presented twice as frequently as females.

Figure 1: ED alcohol related presentations by day and time (January-December 2019)



Note: Not appropriate to plot averages as numbers are too small

Analysis

- Alcohol related Police calls for service are not all directly due to crime and disorder from public alcohol consumption, but a portion of these are. The higher level of calls at night supports the hours of the alcohol ban in Queenstown. In the absence of an alcohol ban in public places, it is reasonable to assume that Police calls would increase.
- Timeseries data from Police show that the current bylaw is having an effect. The total Police demand for the district relating to categories linked to alcohol have steadily reduced since 2015.

² Alcohol Related Presentations to Lakes District Hospital's Emergency Department: January to December 2019. [LDH Alcohol related ED presentations 2019 report.pdf \(southernhealth.nz\)](#).

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- The vast majority of alcohol related admissions (2019) for Lakes District Hospital are between midnight and 6am. During the alcohol ban time of 8pm and 8am, Lakes District Hospital is the only provider of medical services in Queenstown. Although not all alcohol related admissions are related to alcohol consumption in public places, this data shows that alcohol related harm is a problem that is more prevalent at night. As with the level of Police calls, in the absence of an alcohol ban in public places, it is reasonable to assume that the harm occurring would increase.
- **25 and 26 December Queenstown (new alcohol ban)**

Police submission to 2018 bylaw review

- “On Christmas day (2017) a large crowd formed on the beach front having a ‘party’ with loud music, large amounts of alcohol and celebration. Police patrolled the area throughout the day and witnessed high levels of intoxication, rubbish everywhere and families walking along the waterfront path past the group.”
- “... on Christmas Day, when huge crowds gather on reserves and significant resources are engaged trying to ensure people remove alcohol before the start of the alcohol ban. Some of these people, who have been drinking in town all day, then initiate disorder and sometimes violence while trying to get into bars or when loitering around the CBD. Others end up curling up in a corner and going to sleep in a pool of vomit, vulnerable to anybody walking by.”

Photos submitted by Police from Christmas Day 2017:



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Council waste services qualitative information

- Even with a temporary alcohol ban, there was a significant amount alcohol related rubbish (bottles, cans, boxes) after Christmas Day 2022.

Analysis

- Qualitative reports and photos of crime and disorder due to alcohol consumption along the Queenstown lakefront form the key indicators of the need for this ban.
- Due to the isolated period of this proposed ban, quantitative data is not available.
- **27 December – 6 January Queenstown**

Police submission to 2018 bylaw review

- “When patrolling Police receive frequent complaints about groups of people upsetting others as a result of those groups consuming alcohol to excess at the beach, particularly in the summertime, during both the day and the evening. There are also similar complaints about the mess that is left behind and the complainant’s often express disgust.”
- “During the summer holiday period, when resources permit, most evenings Police spend considerable time reminding people of the alcohol ban and asking them to comply.”

Red Frogs³ safety response report for 29 December 2022 - 1 January 2023

QUEENSTOWN	29 th Dec	30 th Dec	31 st Dec	TOTAL
Interactions (water, care & comfort)	1780	2312	3475	7567+
Water	90L (450 cups)	146L (730 cups)	375L (1875 cups)	611L (3055 cups)
Incident response (referred onto other services)	3	4	19	26

³ Red Frogs is a support program that exists to serve and safeguard young people. They are contracted to provide services at Queenstown and Wānaka around the new year’s period to provide crowd care. This includes free water, food, a chill out ‘safe area’ and first response services. <https://redfrogs.co.nz/> (date accessed: 7 February 2023).

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Directly cared for (by Red Frogs, security, and medics)	22	10	74	106
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These are conservative numbers. Teams were not able to collect comprehensive numbers due to the volume of demand for assistance.

Qualitative information from Red Frogs (Raymond Thomson) provided January 2023

- Consumption of alcohol in ban-zones is a common observation.
- Also common to observe physical fighting and intoxication. The fact that there is a need for safe zones, means that some people do feel unsafe due to negative actions by intoxicated people.
- Red Frogs view that pre-loading (drinking before going to an event/bar) is going to occur regardless of where the boundary of an alcohol ban zone is located.

Council waste services qualitative information provided January 2023

- Alcohol related rubbish continues to increase from Christmas Day, tapering off approximately 6 January.
- Council put one of the largest size rubbish skip available near the lakefront in both Queenstown and Wānaka, and these were filled with predominantly alcohol related rubbish during the four-day period between 30 December and 2 January.

Analysis

- Qualitative reports and photos of crime and disorder due to alcohol consumption along the Queenstown lakefront form the key indicators of the need for this ban.
- Timeseries data from Police show that the current bylaw is having an effect. The total Police demand for the district for December and January relating to categories linked to alcohol have steadily reduced since 2015.
- **Crate Day Queenstown**

Information from the report to Council for the temporary ban for Crate Day 2017⁴:

- The 2016 Crate Day resulted in a high level of disorder shown to be made worse by alcohol consumption... The 'National Crate Day' event has been going for a number of years, but since 2015 the Police have noticed a significant uplift in the numbers of people congregating in public places in the district to consume large amounts of alcohol.
- The disorder included the congregation of large crowd of intoxicated young people during the day in the Village Green. This group engaged in foul language, littering, and caused members of the public to complain about feeling unsafe.

⁴ Report to Council 28 September 2017, 'Temporary Alcohol Ban on 2-3 December 2017' [Full Council \(qldc.govt.nz\)](https://www.qldc.govt.nz) (date accessed: 7 February 2023).

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- The increasing popularity of the Crate Day event has resulted in the Police having to arrange for extra staff and resources to be relocated to Queenstown from throughout the Otago region to maintain order during this weekend.
- During the 2016 Crate Day, a group of young people began drinking alcohol in the Queenstown Village Green from mid-morning. By early afternoon, the entire reserve was occupied with a large crowd drinking large quantities of alcohol, with crates of beer kept chilled in Horne Creek. Police describe the crowd as initially good natured, but during the afternoon Police became concerned with escalating disorder in the area, for example:
 - Participants engaging in foul language and deteriorating behaviour to the point where Police had serious concerns that violence would occur.
 - Police responded to a number of disorderly incidents with interventions such as issuing warnings and using de-escalation techniques. The Police say that they exercised restraint on this occasion and decided not to make arrests because of concerns that a strict application of the law to disorderly incidents might inflame the intoxicated crowd and lead to a wider disturbance.
 - Several members of the public approached the Police during the day and expressed concerns that they felt unsafe due to the behaviour and language of the Crate Day participants.

Photos from Crate Day 2016 (page 139 onwards of the Council agenda):



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Draft amendments to the Alcohol Restrictions in Public Places Bylaw 2018



Analysis

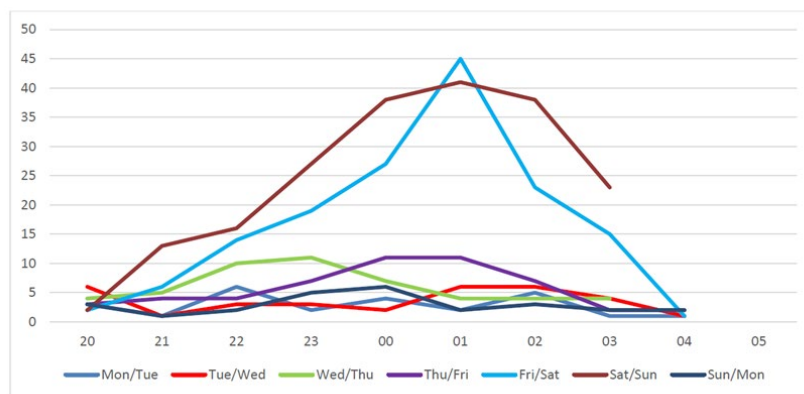
- Qualitative reports and photos of crime and disorder due to alcohol consumption in public areas in Queenstown form the key indicators of the need for this ban.
- It is reasonable to conclude that crime and disorder due to the consumption of alcohol in public places would increase in the absence of the ban for Crate Day in Queenstown.
- **8pm - 8am - Wānaka, year round**
- Data from November 2019 (most recent) shows that Police calls for service are highest at night⁵, tapering to low demand during the day. Categories included in these figures are: assault, disorderly conduct, driving under the influence of alcohol or other substance, drunk home, drunk custody/detox centre, exceeding the prescribed content of alcohol or other substance limit, and liquor and tobacco offences. Although these calls for service are not all related to crime and disorder due to public alcohol consumption, given that the global demand for Police services is low during daylight hours, this correspondingly applies to the crime and disorder contemplated by the bylaw.

⁵ www.policedata.nz (date accessed: 10 February 2023) and 2017 report from Police: Queenstown Lakes Alcohol Related Offending.

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Chart 10 – Wanaka 2012-2016 - 2000-0500 hours



All Calls for Service

Police submission to 2018 bylaw review

Fiscal Year Comparison 2009 / 2010 to 2012 / 2013 for the Wanaka area⁶

Offence	2009 / 2010	2012 / 2013	Change in offending
Total crime	793 offences	510 offences	-283
Public Place Violence	33 offences	24 offences	-9
Disorder	8 offences	49 offences	-40
Willful Damage	177 offences	100 offences	-77
Alcohol ban breach	14 offences	19 offences	+5

- Although from the fiscal year 2009 / 2010 to 2012 / 2013 there was a small increase in numbers prosecuted for breach of the alcohol ban, Wānaka Police submit that these numbers are only a small percentage of the total number of alcohol ban interventions Police made.
- If the ban were to be reduced in terms of locations, days, and hours, Police submit that the carriage and consumption of alcohol in the banned areas would increase and along with that there would be an increase in victimisation and offending.

⁶ Wanaka Police submission on the draft Alcohol Ban Bylaw 2018 (Senior Sergeant A. Grindell), May 2017.

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- Over busy weekends and in particular over New Year, Police note groups of people walking on Lakeside Road with liquor heading into the CBD. These people generally seem to be aware of the alcohol ban and tend to dispose of bottles and cans in public before heading into the ban area.

Analysis

- Alcohol related Police calls for service are not all directly due to crime and disorder from public alcohol consumption, but a portion of these are. The higher level of calls at night supports the hours of the alcohol ban in Wānaka. In the absence of an alcohol ban in public places, it is reasonable to assume that calls would increase.
- Timeseries data from Police show that the current bylaw is having an effect. The total Police demand for the district relating to categories linked to alcohol have steadily reduced since 2015.
- Qualitative reports from stakeholders and photos of crime and disorder due to alcohol consumption in central Wānaka public places are also key indicators of the need for this ban.
- **27 December – 6 January Wānaka**

Red Frogs⁷ safety response report for 29 December 2021 - 1 January 2022⁸

WĀNAKA	29 th Dec	30 th Dec	31 st Dec	TOTAL
Interactions (water, care & comfort)	1650	1860	2474	5974+
Water	124L (620 cups)	165L (825 cups)	413L (2065 cups)	664L (3320 cups)
Incident response (referred onto other services)	4	3	14	21
Directly cared for (by Red Frogs, security, and medics)	15	12	44	71

These are conservative numbers. Teams were not able to collect comprehensive numbers due to the volume of demand for assistance.

⁷ Red Frogs is a support program that have been contracted to provide services at Queenstown and Wānaka around the new year's period to provide crowd care for several years. This includes free water, food, a chill out 'safe area' and first response services. <https://redfrogs.co.nz/> (date accessed: 7 February 2023).

⁸ 2022/23 report pending.

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Qualitative information from Red Frogs (Raymond Thomson) provided January 2023

- As many people used Red Frogs services or required assistance in Wānaka as Queenstown over the New Years period, despite Wānaka's lower resident population. Red Frogs' view is that Wānaka is the more popular destination for younger people to congregate, and therefore there are proportionately more incidences of underage drinking occurring in this location, when compared to Queenstown.
- Consumption of alcohol in ban zones are a common observation.
- Red Frogs received reports of alcohol consumption occurring at Eely Point Reserve (outside of the alcohol ban zone), and people tipping out drinks when arriving at the edge of the alcohol ban zone.
- It is common to observe physical fighting and intoxication. The fact that there is a need for safe zones means that some people do feel unsafe due to the negative actions of intoxicated people.
- Red Frogs' view is that pre-loading (drinking before going to an event/bar) is going to occur regardless of where the boundary of an alcohol ban zone is located.

Qualitative information from Summit Events (Craig Gallagher)⁹ regarding New Years event period, provided January 2023

- Considers Wānaka a higher risk area for young people consuming alcohol in public places due to the attraction of the area to families for New Years. This is possibly due to more short-term visitor accommodation, that caters to families, being available.
- The New Years event requires two medics (from not requiring any previously) due to alcohol related harm and disorder occurring during this period.

Qualitative information from Council (parks services) re: waste clean-up required for public places provided January 2023

- Council put one of the largest sizes of rubbish skips available near the lakefront in both Queenstown and Wānaka, and these were filled predominantly with alcohol related rubbish during the four-day period between 30 December and 2 January.
- Observed an increase in disorder related to alcohol consumption in public places in Wānaka post-COVID-19 (i.e., broken alcohol bottles, vomit).

Analysis

- Qualitative reports from stakeholders of crime and disorder due to alcohol consumption in central Wānaka public places are key indicators of the need for this ban.
- Timeseries data from Police show that the current bylaw is having an effect. The total Police demand for the district for December and January relating to categories linked to alcohol have steadily reduced since 2015. It

⁹ Summit Events has been contracted by QLDC manage the New Year's events in Queenstown and Wānaka the last several years. <https://www.summitevents.co.nz/> (date accessed: 21 February 2023).

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is reasonable to conclude that alcohol related offending would increase in the absence of the ban for Wānaka.



Draft Alcohol Restrictions in Public Places Bylaw 2018 submission pack

June 2023

Name	Organisation (if any)	Speaking to submission	Page #
Eddie Gaper	Altitude Brewing	No	2
Murray Rabel	-	No	5
Diana (surname not given)	-	No	8
Lenka Summer	-	No	12
Shannon Thomson	Red Frogs New Zealand	Yes	15
Evan Jenkins	-	Yes	19
Darelle Jenkins	Hospitality NZ	Yes	23
Lt. Andrew Wilson	The Salvation Army	Yes	27
Jamie Seymour	Cancer Society Otago and Southland Division	Yes	31
Alannah Smyth	Te Whatu Ora, National Public Health Service - Southern (NPHS-S)	Yes	35
Simon Matheson	NZ Police	Yes	39



Respondent No: 1

Login: Registered

Responded At: Apr 03, 2023 10:19:03 am

Last Seen: May 09, 2023 19:23:59 pm

- Q1. **Your name** Eddie Gapper
-
- Q2. **Organisation** Altitude Brewing
-
- Q3. **Email address** [REDACTED]
-
- Q4. **Location** 827 Frankton Road, Queenstown, 9300
-
- Q5. **Would you like to present your submission in person at a hearing?** No
-
- Q6. **Please provide a phone number so our team can contact you about the hearing.** not answered
-
- Q7. **The draft bylaw proposes certain specified periods for alcohol bans in Queenstown public places. Do you support the continuation of the ban of the consumption and possession of alcohol in public places for the following specified period in central Queenstown? 8.00pm-8.00am, 365 days a year** No
-
- Q8. **The draft bylaw proposes a 8.00pm-8.00am, 365 days a year ban of the consumption and possession of alcohol in Queenstown public places. Please provide any comments you have on this.**
not answered
-
- Q9. **The draft bylaw proposes certain specified periods for alcohol bans in Queenstown public places over Christmas and New Year. Do you support a ban on the consumption and possession of alcohol in public places for the following specified periods in central Queenstown? 8.00am on 25 December to 8.00am on 6 January of the following year** Yes
-
- Q10. **The draft bylaw proposes certain specified periods for alcohol bans in Queenstown public places over Christmas and New Year. Please provide any comments you have on this.**
not answered
-

Q11. The draft bylaw proposes certain specified periods for alcohol bans in Queenstown public places on Crate Day. Do you support the continuation of the ban of the consumption and possession of alcohol in public places for the following specified periods in central Queenstown? 8.00am on National Crate Day (or any variation of this this event or promotion) to 8am on the day following National Crate Day

Yes

Q12. The draft bylaw proposes certain specified periods for alcohol bans in Queenstown public places on Crate Day. Please provide any comments you have on this.

not answered

Q13. The draft bylaw proposes to maintain the alcohol ban zones in the public places in central Queenstown as shown in the maps below. Current public place ban Do you support the continuation of the ban of the consumption and possession of alcohol in the public places identified for Queenstown for 8.00am on 25 December to 8.00am on 6 January of the following year AND 8.00pm-8.00am the rest of the year?

Yes

Q14. Current National Crate Day restriction The draft bylaw proposes to maintain the alcohol ban zones in the public places in central Queenstown on National Crate Day. Do you support the continuation of the ban of the consumption and possession of alcohol in the public places identified for Queenstown from 8.00am on National Crate Day (or any variation of this this event or promotion) to 8.00am on the day following National Crate Day?

Yes

Q15. The draft bylaw proposes to maintain the alcohol ban zones in the public places in central Queenstown. Do you think the public places subject to the alcohol ban in central Queenstown public places need to change? If you are proposing changes, please provide details of the area and why.

not answered

Q16. The draft bylaw proposes to maintain the alcohol ban zones in the public places in central Wānaka as shown in the maps below. Do you support the continuation of the ban of the consumption and possession of alcohol in the public places identified for Wānaka over the New Year period from 8.00am on 27 December to 8.00am on 6 January of the following year and 8.00pm-8.00am the rest of the year?

Neutral

Q17. The draft bylaw proposes certain specified periods for alcohol bans in Wānaka public places. Please provide any comments you have on this.

not answered

Q18. Do you think the public places subject to the alcohol ban in central Wānaka public places need to change? If you are proposing changes, please provide details of the area and why.

not answered

Q19. Additional alcohol ban areas in the Queenstown Lakes District public places. If you think we need to establish alcohol bans in any other public places within the district, please provide comments to support your views. If you are proposing new areas, please provide details of the areas and why.

not answered

Q20. The draft bylaw proposes to remove the alcohol ban zones in Frankton public places. Let us know if you have any comments about the proposed removal of these bans.

Yes

Q21. The draft bylaw proposes to remove the alcohol ban zones in Arrowtown public places. Do you support the removal of the ban of the consumption and possession of alcohol in the public places identified for Arrowtown for 8.00pm-8.00am, 365 days a year?

Neutral

Q22. The draft bylaw proposes to remove the alcohol ban zones in Hāwea public places. Do you support the removal of the ban of the consumption and possession of alcohol in the public places identified for Hāwea for 8.00pm-8.00am, 365 days a year?

Neutral

Q23. The draft bylaw proposes to remove the alcohol ban zones in Frankton, Arrowtown and Hāwea public places. Do you have an opinion about these removals?

not answered

Q24. Privacy statement

I understand that all submissions will be treated as public information.



Respondent No: 2

Login: Registered

Responded At: Apr 08, 2023 05:59:28 am

Last Seen: Apr 07, 2023 19:30:28 pm

- Q1. **Your name** Murray Rabel
-
- Q2. **Organisation** not answered
-
- Q3. **Email address** [REDACTED]
-
- Q4. **Location** Hawea
-
- Q5. **Would you like to present your submission in person at a hearing?** No
-
- Q6. **Please provide a phone number so our team can contact you about the hearing.** not answered
-
- Q7. **The draft bylaw proposes certain specified periods for alcohol bans in Queenstown public places. Do you support the continuation of the ban of the consumption and possession of alcohol in public places for the following specified period in central Queenstown? 8.00pm-8.00am, 365 days a year** Yes
-
- Q8. **The draft bylaw proposes a 8.00pm-8.00am, 365 days a year ban of the consumption and possession of alcohol in Queenstown public places.Please provide any comments you have on this.**
not answered
-
- Q9. **The draft bylaw proposes certain specified periods for alcohol bans in Queenstown public places over Christmas and New Year.Do you support a ban on the consumption and possession of alcohol in public places for the following specified periods in central Queenstown? 8.00am on 25 December to 8.00am on 6 January of the following year** not answered
-
- Q10. **The draft bylaw proposes certain specified periods for alcohol bans in Queenstown public places over Christmas and New Year.Please provide any comments you have on this.**
not answered
-

Q11. The draft bylaw proposes certain specified periods for alcohol bans in Queenstown public places on Crate Day. Do you support the continuation of the ban of the consumption and possession of alcohol in public places for the following specified periods in central Queenstown? 8.00am on National Crate Day (or any variation of this this event or promotion) to 8am on the day following National Crate Day

not answered

Q12. The draft bylaw proposes certain specified periods for alcohol bans in Queenstown public places on Crate Day. Please provide any comments you have on this.

not answered

Q13. The draft bylaw proposes to maintain the alcohol ban zones in the public places in central Queenstown as shown in the maps below. Current public place ban Do you support the continuation of the ban of the consumption and possession of alcohol in the public places identified for Queenstown for 8.00am on 25 December to 8.00am on 6 January of the following year AND 8.00pm-8.00am the rest of the year?

not answered

Q14. Current National Crate Day restriction The draft bylaw proposes to maintain the alcohol ban zones in the public places in central Queenstown on National Crate Day. Do you support the continuation of the ban of the consumption and possession of alcohol in the public places identified for Queenstown from 8.00am on National Crate Day (or any variation of this this event or promotion) to 8.00am on the day following National Crate Day?

not answered

Q15. The draft bylaw proposes to maintain the alcohol ban zones in the public places in central Queenstown. Do you think the public places subject to the alcohol ban in central Queenstown public places need to change? If you are proposing changes, please provide details of the area and why.

not answered

Q16. The draft bylaw proposes to maintain the alcohol ban zones in the public places in central Wānaka as shown in the maps below. Do you support the continuation of the ban of the consumption and possession of alcohol in the public places identified for Wānaka over the New Year period from 8.00am on 27 December to 8.00am on 6 January of the following year and 8.00pm-8.00am the rest of the year?

not answered

Q17. The draft bylaw proposes certain specified periods for alcohol bans in Wānaka public places. Please provide any comments you have on this.

not answered

Q18. Do you think the public places subject to the alcohol ban in central Wānaka public places need to change? If you are proposing changes, please provide details of the area and why.

not answered

Q19. Additional alcohol ban areas in the Queenstown Lakes District public places. If you think we need to establish alcohol bans in any other public places within the district, please provide comments to support your views. If you are proposing new areas, please provide details of the areas and why.

not answered

Q20. The draft bylaw proposes to remove the alcohol ban zones in Frankton public places. Let us know if you have any comments about the proposed removal of these bans.

not answered

Q21. The draft bylaw proposes to remove the alcohol ban zones in Arrowtown public places. Do you support the removal of the ban of the consumption and possession of alcohol in the public places identified for Arrowtown for 8.00pm-8.00am, 365 days a year?

not answered

Q22. The draft bylaw proposes to remove the alcohol ban zones in Hāwea public places. Do you support the removal of the ban of the consumption and possession of alcohol in the public places identified for Hāwea for 8.00pm-8.00am, 365 days a year?

No

Q23. The draft bylaw proposes to remove the alcohol ban zones in Frankton, Arrowtown and Hāwea public places. Do you have an opinion about these removals?

If removed more police resources will be required to control poorly behaved users. Or is council going to police user's behavior. Who is going to remove empty bottles and rubbish. Under the current ban the alcohol rubbish is significant.

Q24. Privacy statement

I understand that all submissions will be treated as public information.



Respondent No: 3

Login: Registered

Responded At: Apr 11, 2023 15:26:51 pm

Last Seen: Apr 11, 2023 01:09:41 am

- Q1. **Your name** Diana
-
- Q2. **Organisation** not answered
-
- Q3. **Email address** [REDACTED]
-
- Q4. **Location** Wanaka
-
- Q5. **Would you like to present your submission in person at a hearing?** No
-
- Q6. **Please provide a phone number so our team can contact you about the hearing.** not answered
-
- Q7. **The draft bylaw proposes certain specified periods for alcohol bans in Queenstown public places. Do you support the continuation of the ban of the consumption and possession of alcohol in public places for the following specified period in central Queenstown? 8.00pm-8.00am, 365 days a year** Neutral
-
- Q8. **The draft bylaw proposes a 8.00pm-8.00am, 365 days a year ban of the consumption and possession of alcohol in Queenstown public places.Please provide any comments you have on this.**
not answered
-
- Q9. **The draft bylaw proposes certain specified periods for alcohol bans in Queenstown public places over Christmas and New Year.Do you support a ban on the consumption and possession of alcohol in public places for the following specified periods in central Queenstown? 8.00am on 25 December to 8.00am on 6 January of the following year** Yes
-
- Q10. **The draft bylaw proposes certain specified periods for alcohol bans in Queenstown public places over Christmas and New Year.Please provide any comments you have on this.**
not answered
-

Q11. The draft bylaw proposes certain specified periods for alcohol bans in Queenstown public places on Crate Day. Do you support the continuation of the ban of the consumption and possession of alcohol in public places for the following specified periods in central Queenstown? 8.00am on National Crate Day (or any variation of this this event or promotion) to 8am on the day following National Crate Day

Yes

Q12. The draft bylaw proposes certain specified periods for alcohol bans in Queenstown public places on Crate Day. Please provide any comments you have on this.

not answered

Q13. The draft bylaw proposes to maintain the alcohol ban zones in the public places in central Queenstown as shown in the maps below. Current public place ban Do you support the continuation of the ban of the consumption and possession of alcohol in the public places identified for Queenstown for 8.00am on 25 December to 8.00am on 6 January of the following year AND 8.00pm-8.00am the rest of the year?

Neutral

Q14. Current National Crate Day restriction The draft bylaw proposes to maintain the alcohol ban zones in the public places in central Queenstown on National Crate Day. Do you support the continuation of the ban of the consumption and possession of alcohol in the public places identified for Queenstown from 8.00am on National Crate Day (or any variation of this this event or promotion) to 8.00am on the day following National Crate Day?

Yes

Q15. The draft bylaw proposes to maintain the alcohol ban zones in the public places in central Queenstown. Do you think the public places subject to the alcohol ban in central Queenstown public places need to change? If you are proposing changes, please provide details of the area and why.

not answered

Q16. The draft bylaw proposes to maintain the alcohol ban zones in the public places in central Wānaka as shown in the maps below. Do you support the continuation of the ban of the consumption and possession of alcohol in the public places identified for Wānaka over the New Year period from 8.00am on 27 December to 8.00am on 6 January of the following year and 8.00pm-8.00am the rest of the year?

No

Q17. The draft bylaw proposes certain specified periods for alcohol bans in Wānaka public places. Please provide any comments you have on this.

I support alcohol bans in Wanaka's public places from 8:00pm to 8:00am all year round and during certain specific holiday periods but the current 10-day total ban from 8:00am 27 December to 8:00am 6 January is not supported. There is evidence (Red Frogs, Police, Council's rubbish bins) to support a limit ban around New Year (29 Dec - 3 Jan for instance) but not for the current 10 days. This is an example of lazy legislation where Wanaka residents and visitors have been identified with Queenstowners because its convenient and not because there is justification. No evidence has been published of a "high level of crime and disorder arising from the consumption of alcohol in public places" to justify a 10-day alcohol ban over the Christmas/New Year holiday period for Wanaka. "Qualitative reports from stakeholders of crime and disorder due to alcohol consumption in central Wānaka public places are key indicators of the need for this ban". Those qualitative reports only cover four days (not 10 days) - December 30 - Jan 2. Council must seek actual evidence of this "high level of crime and disorder" from the police and adjust the length of this ban accordingly. If there is no evidence in the last five years, for instance, of a high level of crime and disorder in Wanaka's public places on December 27 then that day should not be included in the ban. The same level of evidence should be applied to every day proposed for this holiday ban. Council staff say: "It is reasonable to conclude that alcohol related offending would increase in the absence of the ban for Wānaka" - based on what evidence? And why does it have to be a 10-day ban or no ban at all? If the day-time New Year alcohol ban was reduced in Wanaka to only five days, for example, what impact would that have on residents and ratepayers of Wanaka, the people for whom this Bylaw is written. Would a five day ban be more "appropriate and proportionate to the level of crime or disorder" and could it be better justified "as a reasonable limitation of people's rights and freedoms" than the current 10-day ban? Evidence has been provided of disorder in Queenstown during daylight hours but Wanaka must not be tarred with that same brush because it's convenient.

Q18. Do you think the public places subject to the alcohol ban in central Wānaka public places need to change? If you are proposing changes, please provide details of the area and why.

Yes it needs to change. Unless there is specific evidence of a "high level of crime and disorder arising from the consumption of alcohol" in the public places marked on Wanaka's map then those places should not be included. This map of Wanaka outlining the banned areas suggests a convenient geographical area aligned with roads and not a map supported by evidence of a high level of crime and disorder. For instance where is the evidence of a high level of crime and disorder on the beachfront between the Wanaka's Yacht Club and Eely Point? Or on the residential streets of Meadowstone and MacPherson Streets? Or on the Wanaka Golf Course? And if the Wanaka Golf Course is included why isn't Lismore Park? Provided there is evidence to support a ban, there are public places, such as Pembroke Park, Wanaka Showgrounds, Roys Bay foreshore adjacent to the CBD, which could be included in a ban without encompassing residential neighbourhoods.

Q19. Additional alcohol ban areas in the Queenstown Lakes District public places. If you think we need to establish alcohol bans in any other public places within the district, please provide comments to support your views. If you are proposing new areas, please provide details of the areas and why.

not answered

Q20. The draft bylaw proposes to remove the alcohol ban zones in Frankton public places. Let us know if you have any comments about the proposed removal of these bans. Neutral

Q21. The draft bylaw proposes to remove the alcohol ban zones in Arrowtown public places. Do you support the removal of the ban of the consumption and possession of alcohol in the public places identified for Arrowtown for 8.00pm-8.00am, 365 days a year? Neutral

Q22. **The draft bylaw proposes to remove the alcohol ban zones in Hāwea public places. Do you support the removal of the ban of the consumption and possession of alcohol in the public places identified for Hāwea for 8.00pm-8.00am, 365 days a year?** Yes

Q23. **The draft bylaw proposes to remove the alcohol ban zones in Frankton, Arrowtown and Hāwea public places. Do you have an opinion about these removals?**

If there is insufficient evidence of a high level of crime or disorder arising from the consumption of alcohol to warrant these alcohol bans in these districts then the bans are unwarranted. I support the removal of these bans. I would like the same consideration of evidence to be applied to Wanaka's bans as well.

Q24. **Privacy statement** Option 2



Respondent No: 4

Login: Registered

Responded At: Apr 13, 2023 12:14:26 pm

Last Seen: Apr 13, 2023 02:06:15 am

- Q1. **Your name** Lenka Sommer
-
- Q2. **Organisation** not answered
-
- Q3. **Email address** [REDACTED]
-
- Q4. **Location** Fernhill, Queenstown
-
- Q5. **Would you like to present your submission in person at a hearing?** No
-
- Q6. **Please provide a phone number so our team can contact you about the hearing.** not answered
-
- Q7. **The draft bylaw proposes certain specified periods for alcohol bans in Queenstown public places. Do you support the continuation of the ban of the consumption and possession of alcohol in public places for the following specified period in central Queenstown? 8.00pm-8.00am, 365 days a year** No
-
- Q8. **The draft bylaw proposes a 8.00pm-8.00am, 365 days a year ban of the consumption and possession of alcohol in Queenstown public places. Please provide any comments you have on this.**
not answered
-
- Q9. **The draft bylaw proposes certain specified periods for alcohol bans in Queenstown public places over Christmas and New Year. Do you support a ban on the consumption and possession of alcohol in public places for the following specified periods in central Queenstown? 8.00am on 25 December to 8.00am on 6 January of the following year** Yes
-
- Q10. **The draft bylaw proposes certain specified periods for alcohol bans in Queenstown public places over Christmas and New Year. Please provide any comments you have on this.**
not answered
-

Q11. The draft bylaw proposes certain specified periods for alcohol bans in Queenstown public places on Crate Day. Do you support the continuation of the ban of the consumption and possession of alcohol in public places for the following specified periods in central Queenstown? 8.00am on National Crate Day (or any variation of this this event or promotion) to 8am on the day following National Crate Day

Yes

Q12. The draft bylaw proposes certain specified periods for alcohol bans in Queenstown public places on Crate Day. Please provide any comments you have on this.

not answered

Q13. The draft bylaw proposes to maintain the alcohol ban zones in the public places in central Queenstown as shown in the maps below. Current public place ban Do you support the continuation of the ban of the consumption and possession of alcohol in the public places identified for Queenstown for 8.00am on 25 December to 8.00am on 6 January of the following year AND 8.00pm-8.00am the rest of the year?

No

Q14. Current National Crate Day restriction The draft bylaw proposes to maintain the alcohol ban zones in the public places in central Queenstown on National Crate Day. Do you support the continuation of the ban of the consumption and possession of alcohol in the public places identified for Queenstown from 8.00am on National Crate Day (or any variation of this this event or promotion) to 8.00am on the day following National Crate Day?

Yes

Q15. The draft bylaw proposes to maintain the alcohol ban zones in the public places in central Queenstown. Do you think the public places subject to the alcohol ban in central Queenstown public places need to change? If you are proposing changes, please provide details of the area and why.

In winter 8pm ban is fine, it's dark anyway. But in summer time it's a shame that we can't have picnic/glass of wine on the beach past 8pm. 10pm would be more likely, late enough to have enough time for people enjoying themselves, early enough to stop the rowdy crowds.

- Q16. The draft bylaw proposes to maintain the alcohol ban zones in the public places in central Wānaka as shown in the maps below. Do you support the continuation of the ban of the consumption and possession of alcohol in the public places identified for Wānaka over the New Year period from 8.00am on 27 December to 8.00am on 6 January of the following year and 8.00pm-8.00am the rest of the year?
- Neutral
-
- Q17. The draft bylaw proposes certain specified periods for alcohol bans in Wānaka public places. Please provide any comments you have on this.
- not answered
-
- Q18. Do you think the public places subject to the alcohol ban in central Wānaka public places need to change? If you are proposing changes, please provide details of the area and why.
- not answered
-
- Q19. Additional alcohol ban areas in the Queenstown Lakes District public places. If you think we need to establish alcohol bans in any other public places within the district, please provide comments to support your views. If you are proposing new areas, please provide details of the areas and why.
- not answered
-
- Q20. The draft bylaw proposes to remove the alcohol ban zones in Frankton public places. Let us know if you have any comments about the proposed removal of these bans.
- Yes
-
- Q21. The draft bylaw proposes to remove the alcohol ban zones in Arrowtown public places. Do you support the removal of the ban of the consumption and possession of alcohol in the public places identified for Arrowtown for 8.00pm-8.00am, 365 days a year?
- Yes
-
- Q22. The draft bylaw proposes to remove the alcohol ban zones in Hāwea public places. Do you support the removal of the ban of the consumption and possession of alcohol in the public places identified for Hāwea for 8.00pm-8.00am, 365 days a year?
- Neutral
-
- Q23. The draft bylaw proposes to remove the alcohol ban zones in Frankton, Arrowtown and Hāwea public places. Do you have an opinion about these removals?
- not answered
-
- Q24. Privacy statement
- I understand that all submissions will be treated as public information.
-



Respondent No: 5

Login: Registered

Responded At: May 04, 2023 20:01:06 pm

Last Seen: May 04, 2023 08:53:10 am

- Q1. **Your name** Shannon Thomson
-
- Q2. **Organisation** Red Frogs New Zealand
-
- Q3. **Email address** [REDACTED]
-
- Q4. **Location** Dunedin
-
- Q5. **Would you like to present your submission in person at a hearing?** Yes
-
- Q6. **Please provide a phone number so our team can contact you about the hearing.** [REDACTED]
-
- Q7. **The draft bylaw proposes certain specified periods for alcohol bans in Queenstown public places. Do you support the continuation of the ban of the consumption and possession of alcohol in public places for the following specified period in central Queenstown? 8.00pm-8.00am, 365 days a year** Yes
-
- Q8. **The draft bylaw proposes a 8.00pm-8.00am, 365 days a year ban of the consumption and possession of alcohol in Queenstown public places. Please provide any comments you have on this.**
- Red Frogs is of the belief incidents of alcohol related harm would increase substantially if there was no alcohol ban in Queenstown public places.
-
- Q9. **The draft bylaw proposes certain specified periods for alcohol bans in Queenstown public places over Christmas and New Year. Do you support a ban on the consumption and possession of alcohol in public places for the following specified periods in central Queenstown? 8.00am on 25 December to 8.00am on 6 January of the following year** Yes
-

Q10. The draft bylaw proposes certain specified periods for alcohol bans in Queenstown public places over Christmas and New Year. Please provide any comments you have on this.

Red Frogs is of the belief incidents of alcohol related harm would increase substantially if there was no alcohol ban in Queenstown public places over Christmas and New Year. For the past 7 years, Red Frogs has actively worked alongside QLDC, Police, St John and Security to provide a safety response during Dec 29 - Jan 1, Our volunteers have a safe zone / chill out zone where we give out pancakes and water, and work alongside medics to provide care and comfort to people who are intoxicated, and in need of help. Regularly we deal with intoxicated teenagers who are underage, as well as young adults who are legal age. This help can be anything from chatting, providing water, through to holding their hair back as they vomit, sitting with them and providing care and comfort while they sleep it off, or referring on to emergency services. Volunteers also encounter with a range of behaviours from patrons, including distress, or having been involved in a fight. The intoxication we see is often a mixture of alcohol and drugs, We also have roaming teams who walk the lake front and town centre area handing out water and being a positive presence. We regularly encounter intoxicated people who are in need of assistance.

Q11. The draft bylaw proposes certain specified periods for alcohol bans in Queenstown public places on Crate Day. Do you support the continuation of the ban of the consumption and possession of alcohol in public places for the following specified periods in central Queenstown? 8.00am on National Crate Day (or any variation of this this event or promotion) to 8am on the day following National Crate Day Yes

Q12. The draft bylaw proposes certain specified periods for alcohol bans in Queenstown public places on Crate Day. Please provide any comments you have on this.

Red Frogs is of the belief incidents of alcohol related harm would increase substantially if there was no alcohol ban in Queenstown public places over Crate Day or any other variation of this event or promotion. We believe it is important QLDC and Police have the flexibility to target specific dates and events with an alcohol ban as part of a strategy to reduce alcohol harm

Q13. The draft bylaw proposes to maintain the alcohol ban zones in the public places in central Queenstown as shown in the maps below. Current public place ban Do you support the continuation of the ban of the consumption and possession of alcohol in the public places identified for Queenstown for 8.00am on 25 December to 8.00am on 6 January of the following year AND 8.00pm-8.00am the rest of the year? Yes

Q14. **Current National Crate Day restriction**The draft **bylaw proposes to maintain the alcohol ban zones in the public places in central Queenstown on National Crate Day.**Do you support the continuation of the ban of the consumption and possession of alcohol in the public places identified for Queenstown from 8.00am on National Crate Day (or any variation of this this event or promotion) to 8.00am on the day following National Crate Day?

Yes

Q15. **The draft bylaw proposes to maintain the alcohol ban zones in the public places in central Queenstown.**Do you think the public places subject to the alcohol ban in central Queenstown public places need to change? If you are proposing changes, please provide details of the area and why.

Red Frogs is of the belief the alcohol ban zones in place should be maintained. To reduce them would increase alcohol related harm in Queenstown

Q16. **The draft bylaw proposes to maintain the alcohol ban zones in the public places in central Wānaka as shown in the maps below. Do you support the continuation of the ban of the consumption and possession of alcohol in the public places identified for Wānaka over the New Year period from 8.00am on 27 December to 8.00am on 6 January of the following year and 8.00pm-8.00am the rest of the year?**

Yes

Q17. **The draft bylaw proposes certain specified periods for alcohol bans in Wānaka public places.**Please provide any comments you have on this.

Red Frogs is of the belief incidents of alcohol related harm would increase substantially if there was no alcohol ban in Wanaka public places over Christmas and New Year. For the past 7 years, Red Frogs has actively worked alongside QLDC, Police, St John and Security to provide a safety response during Dec 29 - Jan 1 and consider Wanaka to be high risk due to the large number of under age drinkers. We run the same response as in Queenstown during the same period however we encounter larger amounts of intoxicated teenagers and anti social behaviours including fighting and alleged sexual assault. The intoxication we see is often a mixture of alcohol and drugs.

Q18. **Do you think the public places subject to the alcohol ban in central Wānaka public places need to change? If you are proposing changes, please provide details of the area and why.**

Red Frogs is of the opinion incidences of alcohol related harm would increase if the alcohol ban in Wanaka was reduced

Q19. **Additional alcohol ban areas in the Queenstown Lakes District public places.**If you think we need to establish alcohol bans in any other public places within the district, please provide comments to support your views . If you are proposing new areas, please provide details of the areas and why.

We would support any recommendations the Police would make around this

Q20. **The draft bylaw proposes to remove the alcohol ban zones in Frankton public places.**Let us know if you have any comments about the proposed removal of these bans.

Neutral

Q21. **The draft bylaw proposes to remove the alcohol ban zones in Arrowtown public places. Do you support the removal of the ban of the consumption and possession of alcohol in the public places identified for Arrowtown for 8.00pm-8.00am, 365 days a year?** Neutral

Q22. **The draft bylaw proposes to remove the alcohol ban zones in Hāwea public places. Do you support the removal of the ban of the consumption and possession of alcohol in the public places identified for Hāwea for 8.00pm-8.00am, 365 days a year?** Neutral

Q23. **The draft bylaw proposes to remove the alcohol ban zones in Frankton, Arrowtown and Hāwea public places. Do you have an opinion about these removals?**

Red Frogs is unable to speak to these as we have not operated in these areas

Q24. **Privacy statement** I understand that all submissions will be treated as public information.



Respondent No: 6

Login: Registered

Responded At: May 05, 2023 19:18:51 pm

Last Seen: May 05, 2023 04:58:50 am

- Q1. **Your name** Evan Jenkins
-
- Q2. **Organisation** self
-
- Q3. **Email address** [REDACTED]
-
- Q4. **Location** Queenstown Bay
-
- Q5. **Would you like to present your submission in person at a hearing?** No
-
- Q6. **Please provide a phone number so our team can contact you about the hearing.** not answered
-
- Q7. **The draft bylaw proposes certain specified periods for alcohol bans in Queenstown public places. Do you support the continuation of the ban of the consumption and possession of alcohol in public places for the following specified period in central Queenstown? 8.00pm-8.00am, 365 days a year** Yes
-
- Q8. **The draft bylaw proposes a 8.00pm-8.00am, 365 days a year ban of the consumption and possession of alcohol in Queenstown public places.Please provide any comments you have on this.**
- I see this bylaw being broken frequently at Bikini Beach during summer afternoons & evenings. The signage is badly placed & inadequate. There is virtually no enforcement. Very rarely the police may do a walk through. 'possession of alcohol' I think should be amended to be 'possession of alcohol that has been opened'..... As it reads it could mean someone who has purchased alcohol to take home & in the process is in a public place, would technically be breaking the bylaw and could be arrested or forced to open the bottle/can & pour out the contents.
-
- Q9. **The draft bylaw proposes certain specified periods for alcohol bans in Queenstown public places over Christmas and New Year.Do you support a ban on the consumption and possession of alcohol in public places for the following specified periods in central Queenstown? 8.00am on 25 December to 8.00am on 6 January of the following year** Yes
-
- Q10. **The draft bylaw proposes certain specified periods for alcohol bans in Queenstown public places over Christmas and New Year.Please provide any comments you have on this.**
- I am very encouraged by this increase in the length of the ban. There is a positive effect on the ambience of the town with the bylaw as it stands and it is sensible to include these extra couple of days. Sadly, for many people the Christmas period is another 'excuse' to get smashed. 'Let's party in the party town, ja!' Altogether now, 'Let's party in.....'
-

Q11. The draft bylaw proposes certain specified periods for alcohol bans in Queenstown public places on Crate Day. Do you support the continuation of the ban of the consumption and possession of alcohol in public places for the following specified periods in central Queenstown? 8.00am on National Crate Day (or any variation of this this event or promotion) to 8am on the day following National Crate Day

Yes

Q12. The draft bylaw proposes certain specified periods for alcohol bans in Queenstown public places on Crate Day. Please provide any comments you have on this.

Crate Day. Yes, but what about including Australia Day & Paddy's Day & retain an option to add any other day that may become relevant to the issue. I have been on about the excessive alcohol consumption especially on & around Bikini Beach for more than a decade & have photos going back years before the police photos but nobody wanted to know. Party pooper. Then a policewoman from Auckland arrives and sees the chaos & brings it to the attention of various parties & all of a sudden there is action. Don't listen to me. What would I know? Crate Day & all the other days & nights have been happening on Bikini Beach for many years but nobody noticed or listened as it is out of sight a little but then one year it happened in the Village Green for all to see. I was there. It was mostly a fun atmosphere, controlled area, police playing their part from a short distance. Need to work on the batting though. Missed a few shots.(you had to be there) Very funny. Good on the police for having a laugh & it was appropriate. Mostly all good spirited but then the alcohol effect started to raise it's ugly head within the crowd. Got a little tricky for the police but they handled it okayish. It could have got a bit ugly but it didn't. The crowd dispersed but left their mess, BIGGG bloody mess but there were no bins even if they tried to put the bottles & rubbish somewhere. Still, many were disrespectful to our town so I'm not condoning it however there was no real damage, no bad fights just a BIG mess. And as I said, it was pretty good fun with some humour for a few hours. Wow. Next day. Evidence. Everybody could see the huge mess in the middle of the town. People were appalled. What a big surprise and such outrage from one & all, almost. The Mayor, the Councillors, the press, the Chamber, some businesses, not so much Henry, Betty, Super or King, laughing all the way to the you know what! National news, TV, radio. I chuckled. Told you so. You had been warned & warned. Happening for years getting bigger & bigger each summer but a little out of sight down at Bikini Beach. The remnants of the party on the Green were a shock & a wake-up call for the town. It could have been a lot worse than just a big mess of bottles cans & paper. We were lucky. That many people, that pished, does not take much to ignite to crazed destructive actions. I am also pleased the policewoman raised the issue of the beachfront 'bar' & was successful in getting some meaningful response as shown by our bylaws. The power of a uniform trumps the power of one man. in this instance.

Q13. The draft bylaw proposes to maintain the alcohol ban zones in the public places in central Queenstown as shown in the maps below. Current public place ban Do you support the continuation of the ban of the consumption and possession of alcohol in the public places identified for Queenstown for 8.00am on 25 December to 8.00am on 6 January of the following year AND 8.00pm-8.00am the rest of the year?

Yes

Q14. **Current National Crate Day restriction**The draft bylaw proposes to maintain the alcohol ban zones in the public places in central Queenstown on National Crate Day.Do you support the continuation of the ban of the consumption and possession of alcohol in the public places identified for Queenstown from 8.00am on National Crate Day (or any variation of this this event or promotion) to 8.00am on the day following National Crate Day?

Yes

Q15. **The draft bylaw proposes to maintain the alcohol ban zones in the public places in central Queenstown.Do you think the public places subject to the alcohol ban in central Queenstown public places need to change? If you are proposing changes, please provide details of the area and why.**

not answered

Q16. **The draft bylaw proposes to maintain the alcohol ban zones in the public places in central Wānaka as shown in the maps below. Do you support the continuation of the ban of the consumption and possession of alcohol in the public places identified for Wānaka over the New Year period from 8.00am on 27 December to 8.00am on 6 January of the following year and 8.00pm-8.00am the rest of the year?**

Yes

Q17. **The draft bylaw proposes certain specified periods for alcohol bans in Wānaka public places.Please provide any comments you have on this.**

not answered

Q18. **Do you think the public places subject to the alcohol ban in central Wānaka public places need to change? If you are proposing changes, please provide details of the area and why.**

not answered

Q19. **Additional alcohol ban areas in the Queenstown Lakes District public places.If you think we need to establish alcohol bans in any other public places within the district, please provide comments to support your views . If you are proposing new areas, please provide details of the areas and why.**

Mentioned previously in a question was Crate Day. There is also Australia Day & Paddy's Day both of which can ignite the same public drunkenness as Crate Day. Please consider these for inclusion & retain options to add any other days as may become necessary.

Q20. **The draft bylaw proposes to remove the alcohol ban zones in Frankton public places.Let us know if you have any comments about the proposed removal of these bans.**

No

Q21. The draft bylaw proposes to remove the alcohol ban zones in Arrowtown public places. Do you support the removal of the ban of the consumption and possession of alcohol in the public places identified for Arrowtown for 8.00pm-8.00am, 365 days a year? No

Q22. The draft bylaw proposes to remove the alcohol ban zones in Hāwea public places. Do you support the removal of the ban of the consumption and possession of alcohol in the public places identified for Hāwea for 8.00pm-8.00am, 365 days a year? No

Q23. The draft bylaw proposes to remove the alcohol ban zones in Frankton, Arrowtown and Hāwea public places. Do you have an opinion about these removals?

'If it ain't broke....' unless you cannot derive enjoyment in public between 2000hrs & 0800hrs without alcohol but that is a different issue than what this survey questions.

Q24. Privacy statement

I understand that all submissions will be treated as public information.



Hospitality New Zealand

TO QUEENSTOWN LAKES DISTRICT COUNCIL

SUBMISSION ON

ALCOHOL RESTRICTIONS IN PUBLIC PLACES BYLAW 2018

MAY 2023

CONTACT DETAILS: Hospitality New Zealand
Contact: Darelle Jenkins



www.hospitality.org.nz

About Hospitality New Zealand:

1. Hospitality New Zealand (“Hospitality NZ”) is a member-led, not-for-profit organisation representing approximately 3,000 businesses, including cafés, restaurants, bars, nightclubs, commercial accommodation, country hotels and off-licences.
2. Hospitality NZ has a 121-year history of advocating on behalf of the hospitality and tourism sector and is led by Chief Executive Julie White. We have a team of seven Regional Managers located around the country, and a National Office in Wellington to service our members.
3. We also have 18 local Branches covering the entire country, representing at a local level all those member businesses which are located within the region. Any current financial member of Hospitality NZ is automatically a member of the local Branch.
4. Our Central Otago branch comprises of 175 members, 134 of which operate within Queenstown lakes District Council. These are a mixture of Food & Beverage and Accommodation providers, 95 of which hold an alcohol licence.
5. This submission relates to the upcoming review of Alcohol Restrictions in Public Places Bylaw 2018 (“the bylaw”).
6. Enquiries relating to this submission should be referred to Darelle Jenkins, Senior Regional Manager – Lower South Island, at darelle@hospitality.org.nz and 0226834249.

General Comments:

7. Hospitality New Zealand welcomes the opportunity to comment on Queenstown Lakes District Council’s Alcohol Restrictions in Public Places Bylaw 2018.

The draft bylaw proposes certain specified periods for alcohol bans in Queenstown & Wanaka public places.

Do you support the continuation of the ban of the consumption and possession of alcohol in public places for the following specified period in central Queenstown and central Wanaka?

8. Hospitality NZ members agree that there is currently inconsistency with start and end time of the alcohol bans and agree to aligning these times.
9. Hospitality NZ believe that the suggested (and somewhat current) bylaw start time of 8pm could be too late, especially in Summer, with the example of shutting the gate after the horse has bolted.
10. Hospitality NZ’s preference would include a 24-hour alcohol ban in hospitality precincts that direct public consumption of liquor to other public areas.

11. To clarify, Hospitality precincts are areas with Food & Beverage outlets, for example (and not limited to) Queenstown's Mall, Beach St, Wanaka's Ardmore, Helwick St.
12. Currently public seating is available in these precincts and alcohol can be consumed on them, just metres away from Hospitality venue entrances and outdoor dining areas.
13. This can lead to issues of investigating where a person's alcohol was from to prove a nearby Licensee wasn't breaching their On Licence.
14. If a 24-hour alcohol ban isn't an option, we would suggest a blanket 6pm start time for the alcohol ban instead of suggested 8pm.
15. The bylaw certainly has the right intentions by encouraging patrons into on-licensed premises that are supervised and have Host Responsibility policies to abide by.
16. We firmly believe 6pm would be a preventative start time. People can get dinner and slow their consumption down which would lead to a longer, and more enjoyable evening, creating extra spend in the district also.

The draft bylaw proposes certain specified periods for alcohol bans in Queenstown & Wanaka public places over Christmas and New Year.

Do you support a ban on the consumption and possession of alcohol in public places for the following specified periods in central Queenstown and central Wanaka? 8.00am on 25 December to 8.00am on 6 January of the following year

17. Hospitality NZ supports the 24-hour ban for this time period.
18. This ban would be easier to understand, and visitors and residents would expect it if we had a 24-hour ban in our Hospitality precincts.

The draft bylaw proposes certain specified periods for alcohol bans in Queenstown public places on Crate Day.

Do you support the continuation of the ban of the consumption and possession of alcohol in public places for the following specified periods in central Queenstown? 8.00am on National Crate Day (or any variation of this this event or promotion) to 8am on the day following National Crate Day

19. Hospitality NZ members appreciate the addition of National Crate Day into the bylaw and again raises the point that a 24-hour ban would make this easier to enforce and understand.

Do you have anything else to add?

20. Hospitality NZ firmly believes that well run on-licensed premises are the safest place for people to enjoy alcohol responsibly.
21. Hospitality staff carry extended responsibility given that they monitor point of consumption not just point of sale.

22. Staff are trained to minimise harm, manage the environment, deal with any problems and keep their patrons safe.
23. Members have raised that while the liquor ban may be in place, it is only as effective as its enforcement. Any changes to the liquor ban need to be appropriately enforced, and we recommend Council works more closely with Police to ensure this is happening.

Conclusion:

24. We thank Queenstown Lakes District Council for the opportunity to provide input into the consultation.
25. We would be happy to discuss any parts of this submission in more detail, and to provide any assistance that may be required.
26. On behalf of our members, we wish to speak to our submission during the verbal deputation process.

Submission on Queenstown Lakes District Council SOP

DRAFT ALCOHOL RESTRICTIONS IN PUBLIC PLACES BYLAW
2018

The Salvation Army welcomes the opportunity to make a written submission on this the proposed changes to Liquor Controls in the Queenstown Lakes District.

We would also appreciate the opportunity to appear before the Committee to submit orally.

Correspondence to:

Lt Andrew Wilson

Corps Officer and Director Community Ministries Queenstown Lakes

[REDACTED]

[REDACTED]

Submission from:

The Salvation Army, Queenstown Corps

71 Gorge Rd Queenstown, 9300

Introduction

The Salvation Army is a Church-based, Non-Government Organisation whose mission is to Care for People, Transform Lives and Reform Society. Nationally, The Salvation Army provides a range of programmes and services which collectively work towards these objectives. Within this range of services, The Salvation Army provides therapeutic care to those suffering from Alcohol and Other Drugs, Street and Court Chaplaincy, Financial Mentoring and Policy Advocacy. Through the services we provide, The Salvation Army has specific, observed knowledge of the harm caused by excessive drinking and the structural and cultural practices that exacerbate these behaviours. Moreover, The Salvation Army in Queenstown was for many years based on Camp St – within the liquor-ban area. We have first-hand experience of witnessing the devastation left behind on Sunday mornings prior to the liquor ban as well as post liquor ban during those periods not covered by the bylaw.

The Salvation Army's goal in presenting this submission is to ensure the environmental factors that lead to positive social outcomes are maintained within the Queenstown Lakes District and that Council are making decisions based on relevant, informed information and data.

Comments on the Proposed Bylaw Changes

We understand the following is proposed: extend the existing liquor ban covering Christmas Day and Boxing Day, remove the liquor bans from Frankton, Arrowtown and Lake Hāwea, remove the ban for Winter Festival as well as remedial modifications to the bylaw. It is important that such amendments and reviews of liquor bylaws remain on a sufficiently frequent basis – 3-5 years – in order to ensure the community can respond to the emergent behaviour caused by modifications to the bylaw. The Salvation Army supports the extension to the summer holiday liquor ban to cover the Christmas period too as well as the adjustment of timings on the provision that these adjustments have been made on the advice of NZ Police. Liquor bans are only as effective as their enforcement by police and community culture. The bylaw should reflect the advice provided to Council by NZ police as to the most effective timings to enforce the liquor bans in any locality.

The Salvation Army does not support the removal of either non-Queenstown localities or the Winter Festival from the bylaw. We believe this presents a too easy of a scenario whereby the harm caused by public drinking simply shifts from one urban locality to another. Given the localities proposed to be removed are populated to a greater degree with families and other long-term residents, the risk to public order is too great. A consistent standard across all QLDC lakefronts is the reasoned, appropriate approach to the liquor ban bylaw. The Salvation Army supports and acknowledges the work done by Alcohol Healthwatch and their research which

found that “community partnerships involving police, local authorities, health agencies, community representatives and liquor liaison groups are seen to enhance the effectiveness of liquor bans harm (Bijoux, 2005, Alcohol Advisory Council, 2002, Alcohol Advisory Council, 2005a, Bennett et al., 2003, Greenaway et al., 2002, Conway, 2002, Webb et al., 2004, Homel et al., 1995). Such partnerships improve communication and information-sharing and benefit policing (Webb et al., 2004).” They further note that such practices do not take away from the need to ensure that effective strategies exist concerning the availability and accessibility of alcohol.

Recommendations

The Salvation Army recommends that Council adopt the following amendments:

- addition of permanent bans for Queenstown public places from 8am on Christmas Day to 8am the day after Boxing Day (27 December)
- updated maps
- minor changes to the bylaw to improve readability and align with updates to legislation

The Salvation Army does not recommend that Council adopt the following amendments:

- removal of alcohol bans for specified public places in Frankton, Arrowtown and Lake Hāwea
- removal of the alcohol ban for Queenstown Winter Festival

The Salvation Army recommends the additional amendments:

- Create a statutory Community Partnership with stakeholder businesses and organisations to enhance the harm reduction of the liquor bans
- adjustment of ban timings in accordance with advice provided by NZ Police
- review the bylaw within the next 3-5 years

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QLDC Draft Alcohol Restrictions in Public Places Bylaw 2023

To: Attn: Queenstown Lakes District Council – Let’s Talk QLDC
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Email: letstalk@qldc.govt.nz

Details of Submitter Jamie Seymour
Health Promoter, Central Otago & Queenstown Lakes

[REDACTED]
[REDACTED]

Address for Service Cancer Society of NZ, Otago and Southland Division
1st Floor Aurum House, Terrace Junction
1092 Frankton Rd., Frankton 9300

Date 5th May 2023

OIA We wish to be heard with regards to this submission

Background

The Cancer Society of New Zealand, Otago & Southland Division is a non-profit organisation, which aims to improve community wellbeing by reducing the incidence and impact of cancer for those living in the Southern Region. The Cancer Society has three key work streams including: the provision of supportive care for people and their families who are impacted by cancer, funding of cancer related research, and health promotion activities.

Cancer is a major cause of disease, disability, and death in New Zealand. Although cancer is unlikely to be eradicated, current evidence indicates around 50% of cancers are potentially preventable. The health promotion work stream aims to advocate for the health of the community and build health into all public policy areas to help create a future with less cancer. We aim to work collaboratively in the community to create social, cultural, and physical environments that support health and wellbeing and reduce the population’s risk of developing cancer.



Introduction

Thank you for the opportunity to submit on the QLDC Draft Alcohol Restrictions in Public Places Bylaw 2023. The Cancer Society's interest in this Bylaw stems from the burden of alcohol related cancers in our region. We acknowledge that there are many social issues relating to alcohol consumption, but our priority concern is the link between alcohol and cancer.

Alcohol is a Group 1 carcinogen (like tobacco). Alcohol (ethanol) increases the risk of at least seven types of cancer including cancers of the mouth, pharynx (throat), larynx (voice box), oesophagus, bowel, liver, and breast (in women)¹. The high energy content (kilojoules or calories) of alcohol can also increase the risk of 12-13 weight-related-cancers.

We continue to raise awareness that drinking alcohol, even moderately, raises the risk of developing cancer. Current research indicates that public perception of the link between the two is low². The research also indicates that as the public becomes more aware of the health harms of alcohol, and particularly the cancer risk, so too does their concern for its effects in our communities.

Key Recommendations

Despite alcohol being a class 1 carcinogen, it is cheap, easily available, and excessively promoted in Aotearoa. Greater alcohol regulation such as limiting the number of alcohol outlets and public areas where alcohol consumption is permitted are key to protecting communities from alcohol-related cancer, just like tobacco regulation.

Cancer Society recommends:

- Extending the ban for specified public places to make it permanent every day
- Extending the ban timings to all day so that it is permanent, not just 8pm to 8am
- Not removing the ban for specified public places in Frankton, Arrowtown, and Lake Hawea
- Not removing the ban for Queenstown Winter Festival (or potential successor events)

It is further recommended that QLDC ensure that any alcohol control bylaws in place are accompanied by the appropriate signage and can be and are actively enforced.

Supporting Comments

Drinking any amount of alcohol, even low levels, can cause cancer. The level of cancer risk increases with the level of alcohol consumption, with the heaviest drinkers most at risk³. An example of this is the more than one-third of alcohol-attributable breast cancer deaths that occur among New Zealand women with an average daily consumption of less than two daily standard drinks⁴.

Persistent inequities in alcohol use and harm exist, particularly experienced by Māori, Pasifika and those living in the most socioeconomically deprived neighbourhoods. Māori experience alcohol-attributable cancer at higher rates and death 2.5 times more than non-Māori³. Breast cancer is also the leading cause of alcohol-attributable death for both Māori and non-Māori women³.

It is estimated that seven percent of the total cancer burden in New Zealand is attributable to alcohol use⁵. Not drinking or drinking less alcohol is the best way to reduce alcohol-related cancers. Avoiding alcohol altogether is the best way to prevent alcohol related cancer⁶.

In the Southern region, this is particularly concerning because of the culture of youth drinking. Young adults aged 18 to 24 years remain Aotearoa New Zealand's most hazardous alcohol consumers⁷.

Te Whatu Ora Southern has some of the highest rates⁸ in New Zealand of both past year drinkers⁹ and those who drink in a way that is likely to be hazardous to their health¹⁰. Almost 1 in 9 of those aged 15 years and over have consumed alcohol within the previous year and a third consumed alcohol in a way that is likely to be hazardous to their health.

Limiting alcohol accessibility by restricting the public places where it can be openly consumed is key to helping reduce the health harms of alcohol and overall cancer risk in our community.

Extending the ban to 24 hours a day, 7 days a week will allow the Police to better avert potential trouble that may arise from drinking in public places at any time of the day. In addition, the rule that no drinking at any time is allowed in these areas, is a much clearer and succinct rule for the public to understand and abide by.

Complete alcohol bans in specific areas, or alcohol-free zones, can be a successful measure. Wellington City Council's 24/7 Liquor Control Bylaw¹¹ came into effect in July 2008 and has been renewed and the alcohol-free areas extended at each review.

Alcohol bans should be part of a wider harm reduction strategy for the district that includes measures such as Local Alcohol Policy, reducing availability through restricting alcohol outlet density and trading hours, and restricting forms of marketing/promotion and sponsorship.

Kua tawhiti kē tō haerenga mai

Kia kore e haere tonu

He tino nui rawa ōu mahi

Kia kore e mahi tonu

- Nā Tā Hemi Henare

You have come too far not to go further. You have done too much not to do more.

References

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- ² Bates S, Holmes J, Gavens L, de Matos EG, Li J, Ward B, et al. Awareness of alcohol as a risk factor for cancer is associated with public support for alcohol policies. *BMC Public Health*. 2018;18(1):688.
- ³ Connor, J., Kydd, R., Maclennan, B., Shield, K., & Rehm, J. (2017). Alcohol-attributable cancer deaths under 80 years of age in New Zealand. *Drug and alcohol review*, 36(3), 415-423.
- ⁴ Wild C, Wiederpass E, Stewart B. World Cancer Report: Cancer Research for Cancer Prevention. Lyon, France; 2020. [https://www.iccp-portal.org/sites/default/files/resources/IARC World Cancer Report 2020.pdf](https://www.iccp-portal.org/sites/default/files/resources/IARC%20World%20Cancer%20Report%202020.pdf).
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- ⁶ World Cancer Research Fund. Diet, Nutrition, Physical Activity and Cancer: A Global Perspective: A Summary of the Third Expert Report.; 2018.
- ⁷ Evidence-based alcohol policies: Building a fairer and healthier future for Aotearoa New Zealand Retrieved from <https://www.ahw.org.nz/Portals/5/Resources/Briefing%20papers/2021/Evidence-based%20alcohol%20policies-Alcohol%20Healthwatch%20Nov%202020.pdf>
- ⁸ Ministry of Health. 2021. Regional Data Explorer 2017–2020: New Zealand Health Survey [Data File]. URL: <https://minhealthnz.shinyapps.io/nz-health-survey-2017-2020-regional-update>
- ⁹ 2nd highest rate (87.7%) in both pooled 2017-20 NZ Health Survey data and 2019-20 data (88.4%) (both rates are age standardised)
- ¹⁰ 3rd highest rate (28.6%) in pooled 2017-20 NZ Health Survey data and 2nd highest rate (32.5%) in 2019-20 data (both rates area age standardised)
- ¹¹ Wellington City Council (2023) Wellington alcohol ban. Accessed 26 April 2023: <https://wellington.govt.nz/community-support-and-resources/safety-in-wellington/central-city-alcohol-ban>

Queenstown-Lakes District Council – Draft Alcohol Restrictions in Public Places Bylaw 2018 Consultation

5 May 2023

For more information please contact:

Alannah Smyth (she/her)

Health Promotion Advisor | Kaiwhakatairanga Hauora
National Public Health Service, Southern

Level 3 Rees House, Remarkables Park | PO Box 2180, Queenstown 9349

Te Whatu Ora
Health New Zealand

Our reference: 23Apr01

Submitter details:

1. Thank you for the opportunity to submit on Queenstown-Lakes District Council (QLDC)'s Draft Alcohol Restrictions in Public Places Bylaw 2018 consultation. This submission has been compiled by the National Public Health Service (NPHS) Southern team within Te Waipounamu. The National Public Health Service recognises its responsibilities to improve, promote and protect the health of people and communities of Aotearoa New Zealand under the Pae Ora Act 2022 and the Health Act 1956.
2. We would also appreciate the opportunity to appear before the Council to submit orally.

General comments:

Alcohol bans (also known as alcohol-free areas or zones) are typically introduced by local councils as a way of preventing alcohol related violence and anti-social behaviour in public places, including disorderly behaviour, criminal offending such as vandalism and damage to private property and reduced costs to councils in cleaning up litter. These harms and costs are detrimental to local businesses, residents and visitors due to perceptions of public safety. This approach has been successfully introduced in several countries including New Zealand.¹ Police are empowered to enforce these zones with a range of options including requests to stop drinking and dispose of opened vessels, confiscation of opened vessels, infringement notices or arrest for disorderly behaviour.

In New Zealand, the effectiveness of alcohol bans has been linked to the level of police enforcement of these bans in Wellington City² and Havelock North.³ An increase in public perceptions of safety was a key outcome of alcohol ban evaluations undertaken in Christchurch⁴, Auckland City central business district (CBD)⁵, and at Piha beach, near Auckland.⁶ The Auckland CBD and Piha bans also brought about a significant decrease in alcohol-related disorder, local crime and fire service call-outs to vehicle incidents.⁷ More recently, we note that both the greater Wellington area and Tauranga City have extended their alcohol-free areas and in the latter, most areas are now permanent without time restrictions or linked with an event/New Year period.⁸

Piha promotes itself as “one of, if not the most famous surf beach in New Zealand” and is very popular with locals and visitors.⁹ A local study found that community engagement and the use of

¹ United Kingdom, Australia, United States, Canada, and India

² Sim, M., Morgan, E. and Batchelor, J. (2005) *Wellington City Council Liquor Control Bylaw Evaluation Report*. Wellington: New Zealand Police.

³ Hart, M. (2004) *An Impact and Outcome Evaluation of a Liquor Ban in Havelock North, New Zealand*. Hastings: Hastings District Council.

⁴ Bijoux, D. (2005). *Liquor Bans in New Zealand*. Wellington: Alcohol Advisory Council of New Zealand.

⁵ Greenaway, A., Conway, K., Field, A., Edwards, S., Bhatta, K., Huckle, T. and Butcher, A. (2002) *Young People, Alcohol and Safer Public Spaces*. University of Auckland: Alcohol & Public Health Research Unit.

⁶ Conway, K. (2002) Booze and beach bans: turning the tide through community action in New Zealand. *Health Promotion International* **17:2**, 171-177.

⁷ Ibid.

⁸ <https://www.tauranga.govt.nz/business/permits-and-licences/alcohol/other-alcohol-information/alcohol-free-areas> accessed 24 April 2023

⁹ [Piha | Piha | Piha Beach | Piha New Zealand](#) accessed 26 April 2023

the ban as part of a coordinated effort was the most effective method of reducing alcohol related harm in the area, with little displacement to surrounding areas. A first aid responder commented:¹⁰

We used to dread this time of year and this year it's been a breeze. You're out here for the lifestyle and you accept that Piha will be a big draw-card for the crowds and you learn to live with that, but you don't expect all that drinking and you certainly don't want all that riotous kind of behaviour that goes with alcohol consumption.

Specific comments:

(1) The Bylaw review process

NPBS-Southern does not support the proposed ten-year review period. We recommend that QLDC maintains the five-year review as the proposed draft “Alcohol Restrictions in Public Places Bylaw 2018” is less comprehensive than its predecessor (with a reduction in both alcohol ban locations Frankton, Arrowtown and Hāwea and the duration of restrictions).

We strongly recommend explicit monitoring relating to alcohol related violence and anti-social behaviour in public places (including disorderly behaviour, criminal offending such as vandalism and damage to private property and littering) is established and agreed upon. This evidence gathered would clearly identify and inform the community the level of harm (personal and property) caused by alcohol.

It is also important to note that societal change towards alcohol appears to be slowly shifting with numerous political conversations relating to both the Sale and Supply of Alcohol (Harm Minimisation) Bill and Alcohol Sponsorship of Sport in Aotearoa New Zealand being debated. Both topics are scheduled to be explored by central government after the 2023 election.

(2) Wording change

NPBS-Southern continues to recommend that the language used within the draft “Alcohol Restrictions in Public Places Bylaw 2018” be modernised. Rather than using the current deficit-based wording “alcohol bans” this could be replaced with either “alcohol-free areas” or alcohol-free zones”. The latter has been shown to be effective¹¹ when supported by local evidence, appropriate consultation, clear guidelines, and adequate signage.

(3) Specified period and locations

NPBS-Southern does not support the removal of Frankton, Arrowtown and Hāwea from the policy without appropriate evidence.

NPBS-Southern does support the proposed recommendation for no alcohol to be consumed within the designated areas for the twenty-four hours on National Crate Day or any similar events/promotions. We believe that it would be advantageous to extend this approach beyond specified days to become permanent, which we understand is also the view of the Police. This approach simplifies not only the message for residents and visitors, but also to police. The quality of evidence captured would also improve; it is currently challenging without additional

¹⁰ Conway, K. (2002) Booze and beach bans: turning the tide through community action in New Zealand. *Health Promotion International*, Volume 17, Issue 2, 1 June 2002, Pages 171–177, <https://doi.org/10.1093/heapro/17.2.171>

¹¹ [Department of Local Government - Ministerial Guidelines on Alcohol Free Zones - February 2009 \(nsw.gov.au\)](https://www.nsw.gov.au/department-of-local-government-ministerial-guidelines-on-alcohol-free-zones-february-2009) accessed 24 April 2023.

resourcing to identify when disorderly behaviours such as vandalism, damage to private property or littering may occur to measure the effectiveness of the bylaw. We note that since 2018, Tauranga City Council have chosen to make several of their popular areas (previously alcohol-free only during the New Year period) now permanently alcohol-free.⁸

(4) Future Alcohol Harm Minimisation Strategy

NPHS-Southern welcome the opportunity to support the Queenstown-Lakes communities and visitors access safe spaces to consume alcohol. One approach may be the development of a broader document which would provide a collective vision, strategies and actions (including this Bylaw) aimed at achieving a sustained reduction in alcohol-related harm which also includes evaluation.

Conclusion:

NPHS-Southern:

- Does not support the proposed ten-year Bylaw review period.
- Strongly recommends the words “alcohol bans” are replaced with “alcohol-free zones” or “alcohol-free area” within the draft Bylaw.
- Supports maintaining the 24-hour alcohol-free period for events such as Crate Day.
- Strongly recommends QLDC implement a 24 hour/seven days a week alcohol-free zone/area in specified locations.
- Recommends that a collective approach to alcohol harm minimisation is needed which includes evaluation.

The National Public Health Service - Southern thanks QLDC for the opportunity to comment on the proposed changes to Draft Alcohol Restrictions in Public Places Bylaw.

Ngā mihi,



Vince Barry

Regional Director Public Health Te Waipounamu
National Public Health Service

Proposed Queenstown Lakes District Alcohol Ban Bylaw 2023 Submission

Police support the current Queenstown Lakes District Alcohol Ban Bylaw, with the current Alcohol Ban times of 08:00pm to 8:00am the following day. This also covers the following locations of Queenstown CBD, Wanaka CBD, Frankton Beach, Arrowtown and Lake Hawea beach.

Police hold the position that the addition of a permanent 24hour alcohol ban in the CBD's of Queenstown and Wanaka would prevent harm and remain consistent with many other locations around New Zealand and with many other countries that visitors come from.

New Zealand Police have a Vision "to be the safest country" and a purpose "to ensure that everybody can be safe & feel safe". The way that alcohol is viewed, accessed and consumed in public places has a direct impact on how Police achieve our vision and our purpose.

The way that Police look to achieve this is through a "Prevention First" approach where Police deploy staff, time and resources to prevent offending occurring and keeping people safe. The prevention first approach involves Police engaging, explaining, encouraging people before taking an enforcement approach. This is an integral part of Policing by consent, having the consent of the public to go about our business and keep people safe.

On the ground in day to day activities Police seek to positively engage with members of the public and this can be seen in how Police act in terms of liquor bans. When Police are interacting with people, we actively seek to positively *engage* with members of the public so that when we *explain* the liquor ban and the reasons for the ban, they gain an understanding of the ban and the positive outcomes that can be achieved.

Police then *encourage* members of the public to comply with the liquor ban by advising them to remove the alcohol in breach of the ban and modify their behaviours. This can take the form of advising people that they are liable for a \$250.00 fine for possession of alcohol.

In a practical sense Police walk through the CBD and the waterfront area early in the evening advising members of the public that the liquor ban commences at 8.00pm. Police return once the liquor ban is in force and advise that they are now in breach of the liquor ban and encourage them to remove the alcohol.

Members of the public with this encouragement remove themselves &/or the offending alcohol and comply with the liquor ban. This happens daily and members of the public comply with Police requests without incident. This means the liquor ban is enforced but there are very few breaches recorded. Although few breaches are recorded it has become part of Police officer's daily interactions to interact with the public and alcohol every day, everywhere.

Experience has taught Police, as any parent knows that education and understanding has a greater effect at modifying behaviour than strict enforcement.

These actions by Police enforce the liquor bans and create a safe environment for people and families spend time in CBD's. Police believe that these interactions and the removal of alcohol has a positive impact on the CBD and the environment that locals and tourists visit.

The removal of alcohol from public places encourages a greater diverse range of people to spend their time in CBD's and enhances all the positive attributes of Queenstown and Wanaka to both locals and tourists.

Police believe that the greater number of responsible people in public spaces creates “*responsible custodians*”. The concept of responsible custodians is that responsible members of society that are present in a public space exert and control societal norms and regulate behaviours. By having responsible persons present in greater numbers this regulates the behaviour of all and minimises the acceptance of poor and anti-social behaviours.

The removal of alcohol from public spaces greatly encourages responsible custodians to be present and therefore has a positive impact on public spaces.

A major component of Prevention First is relationships with external partners. Police engagement is continued by Police developing and maintaining positive relationships with other organisations such as the QLDC, Te Whatu Ora and business organisations that operate licensed premises.

This takes the form regular meetings and interactions, where police are of the view that the one of the safest places to consume alcohol is in licenced premises. The premises are regulated, controlled and provide an environment where food, water and safe areas are offered. These licenced premises are controlled by licenced persons who ensure alcohol is consumed in a manner where the consumption of alcohol is undertaken responsibly, safely and any harm caused is minimised.

The Police, Council and te Whatu Ora work hard with private operators to provide safe environments for people to consume alcohol. Companies and private operators often express concern and frustration that they make every effort to comply with laws and regulations however have to deal with intoxicated persons who consume alcohol in public areas and then enter licenced premises.

Often after consuming in public places people enter licenced premises appearing to not be affected by alcohol and then rapidly deteriorate placing these operators at liability for having intoxicated persons on premises. Often, they have not purchased or consumed any alcohol from the licenced premise but become a concern for the premise to deal with. The licenced premise also have to then ensure that these persons are safe, remain safe and have support or assistance to get to a safe place.

Most cities, and towns in New Zealand already have 24 hour alcohol bans in place within their CBD and main public reserves. These locations, include main cities and key tourist locations, such as:

Auckland, Wellington, Whangerei, Paihia, Kerikeri, Raglan, Hamilton, Napier, Hastings, New Plymouth, Gisborne, Cambridge, Te Awamutu, Tauranga, Rotorua, Napier, Nelson, Blenheim, Picton, Christchurch, Dunedin and Invercargill.

Taupo, a similar sized tourist destination, has a full alcohol ban from 4:00pm every Thursday through to 7:00am the following Monday morning, including all public holidays and 24hrs a day over the New Year period from 27th December to 4th January, covering a significant area of Taupo town.

The main towns around Queenstown, also have 24 hour Alcohol bans, including Dunedin, Gore, Invercargill, and Te Anau.

PRESENTATION (to be presented in an oral submission)

When Police attend incidents and conduct preventative work, we record whether certain factors have had in impact. One of these factors is alcohol as it is a major driver of crime and behaviour.

Police are circumspect in their recording of factors such as alcohol and will record a positive response in terms of alcohol where we have positive and affirming information to show that alcohol was a contributing factor. This can be from Victim statements, witness statements, as well as officer's observations and evidential material.

Queenstown

Ban Area QN

Of all occurrences attended by Police from the Queenstown Police station 37% were contained within the current CBD alcohol ban area. These occurrences are all contained within the central business district where large numbers of people congregate both during the day and night. Although the image displayed covers the CBD and bordering areas the total area covered by these statistics is the area the Queenstown station responds to, Glenorchy to Kingston through to the Roaring Meg.

Hots Spots

Hot spots are locations where occurrences repeatedly occur and where Police look to devote time and resources. This displays occurrences where there was no offence recorded or Police presence alone was sufficient to resolve the occurrence. This shows persistent hot spots in the Queenstown CBD and in adjacent area's leading away from the alcohol ban area. This slide also shows developing hotspots in and around the liquor ban area that are developing wider and moving out of the CBD.

Crime types

This displays a very similar grouping of drugs, disorder and violence within a small present in the CBD and current liquor ban area. This is highlighting the link between alcohol and the crimes of drugs, disorder, sexual offences and violence.

Day and Hour Violence

This displays that reported occurrences where alcohol is a contributing factor and are recorded showing that occurrences are centred from late on Thursday evenings through to 4am on Sunday morning. There are periods during the day where offending drops to low levels before rising again in the evenings. This supports the current ban hours. There are however sporadic periods where occurrences spike throughout the day and during the week.

Day and Hour Drugs and Disorder

This mirrors the violence statistics in that occurrences are centred from late on Thursday evenings through to 4am on Sunday morning. There are periods during the day where offending drops to low levels before rising again in the evenings

Day and Hour Traffic Offences

This also mirrors the above two offence types and pushes earlier into the week, ranging from Tuesday evenings through late Sunday morning.

These three "Day and Hour" categories are consistent with the days and times of recorded offences. Police would pose that although there are little recorded occurrences during the day this is in fact

the time period where people are consuming alcohol in public places that leads to the offending later in the evening and early the next morning.

Month & Year

This shows occurrences peaking at the start and end of the year which coincides with Christmas and New Year travellers and celebrations. From March to September there has been increases in occurrences in which Covid 19 will have had a direct impact on the movement and restrictions placed on people.

Day and Shift

This data supports the previous day and hour presentations and mirrors the Police presence of rostering the greatest numbers of staff from evenings on Thursday through to Sunday morning. The Police rostering reflects the demand that is present in terms of disorder and violence within the CBD.

Liquor Infringements

This reflects how Police have taken a preventative approach in Policing, looking to engage, explain and educate before taking enforcement activity.

Breach Liquor Ban

This displays a change where officers were specifically tasked and directed to record warnings in Alcohol ban areas. This also reflects time periods where Police have increased staffing numbers that they can deploy through the Christmas - New year period. Operational demands and staffing dictate when staff have the time and ability devote attention to liquor ban breaches. Historically Police have not been proficient in recording the amount of verbal warnings issues. These warning come from engaging, explaining and encouraging.

Wanaka

Ban area

This displays a concentration where 28% of all alcohol occurrences dealt with by Wanaka Police are contained within the liquor ban area. The 28% is from a total area that covers from the top of the Crown Range, to Queensbury and up through towards Haast. Other occurrences are spread out through residential areas. A concentration of the occurrences is contained within the central business district where large numbers of people congregate both during the day and night.

Hot spots

This displays developing hotspots withing the CBD where licenced premises are located and creeping into residential areas adjacent to the liquor ban area. Of note the developing hotspots are not in the current liquor ban areas.

Crime types

This illustrates a concentration of violence, drugs and disorder and sexual offending in the CBD and mirroring hot spots and the liquor ban area.

Day and Hour Violence

The concentration of occurrences is less pronounced than in Queenstown and begins late on Friday evenings and runs through to approximately 5 am on Sunday morning. With the majority of the occurrences later in the evening and in the early hours of the morning. There are however increased times of occurrences happening throughout the week and during different times during the day.

Day and Hour Drugs and Disorder

The data is very pronounced here with occurrences located late in the evenings and early in the morning hours for Friday, Saturday and Sunday only.

Day and Hour Traffic Offences

These are spread over a greater period of time but commence in the late afternoon and conclude at 4am on Thursday's, Fridays, Saturday and Sundays. There are no significant occurrences through daytime periods.

Police would pose that although there are little recorded occurrences during the day this is in fact the time period where people are consuming alcohol in public places that leads to the offending later in the evening and early the next morning.

Day and shift

This mirrors previous statistics and mirrors the Police presence of rostering the greatest numbers of staff from evenings on Thursday through to Sunday morning. The Police rostering reflects the demand that is present in terms of disorder and violence within the CBD.

Month and Year

This shows occurrences peaking at the start and end of the year which coincides with Christmas and New Year travellers and celebrations. There is a relatively consistent spread and trend through other months with Covid19 having a direct effect on this data.

Liquor Infringements

This displays an increase in the previous two periods of possession of alcohol in a banned area and youths consuming alcohol in public places. This is concerning as Youths are vulnerable and at risk when consuming alcohol.

Breach Liquor Ban

This displays a change where officers were specifically tasked and directed to record warnings in Alcohol ban areas. This also reflects time periods where Police have increased staffing numbers that they can deploy through the Christmas - New year period. Operational demands and staffing dictate when staff have the time and ability devote attention to liquor ban breaches. Historically Police have no been proficient in recording the amount of verbal warnings issues. These warning come from engaging, explaining and encouraging.

The lack of reported offences contained within the liquor ban area such as Frankton Beach, Arrowtown and Hawea Beach are not an indication that these are not areas of harm but reflect the Prevention First approach where Police actively engage with members of the public and seek compliance.

Police in Queenstown and Wanaka take a modern approach to interactions and take every opportunity when interacting with people to prevent harm and ensure safety. This can and does include advising members of the public when they are breaching liquor bans, identifying and advising people of issues with vehicles and any other item or issue that helps to prevent harm.

By identifying issues and providing solutions Police gain compliance and an understanding of how people can keep themselves safe and ensure societal norms are maintained and healthy. The lack of reported offences is in itself, evidence that the liquor bans are effective and operating as intended.

Example

On Friday the 21st of April 2023 several Queenstown residents were seated in a vehicle on Buckingham St in Arrowtown. The occupants of this vehicle were consuming alcohol and one of the males (21 years old) from this group exited the vehicle. He was then standing on Buckingham St drinking alcohol with another male.

This is at 8.55pm which is within the liquor ban timeframe.

The male who exited the vehicle has thrown a small plastic bottle towards a shop on the side of the road. A 68 year old Arrowtown resident approached this male and remonstrated with the male who threw the bottle.

Without any warning or provocation the 21 year old male struck the 68 year old male with a closed fist to the right side of his head. The older male has been knocked out and has fallen to the road where he did not move for 2 minutes and 30 seconds.

The older male was transported to the hospital where it was discovered he suffered a minor bleed on the brain and remained in the care of the Lakes District Hospital until late the following day. Doctors commented that the older male was fortunate that he was facing the offender when struck as if he had been looking away it is highly possible it may have been a fatal blow.

The older male is still suffering the effects of this assault and it will be some time before the full consequences of the assault is known.

This is why liquor bans need to remain in Frankton, Arrowtown and Lake Hawea.

OBSERVATIONS & INTERACTIONS

1. At 1430hrs on a sunny Friday afternoon I was walking to a Highlanders rugby game at the recreation grounds in Queenstown. As I walked past the Village Green, I observed a group of 5 males who were sitting on the grass by the pavement drinking alcohol in the sun. They were drinking Woodstock bourbon and Cola (premixed 7% alcoholic spirit drink) that had been purchased by the box of 15. The Village Green had a number of families and tourists sitting in the sun, taking a rest and eating food. At this time of day the group of males can lawfully consume a higher percentage pre-mix alcoholic drink but after 8.00 pm they cannot. It appears incongruent that persons can drink this high percentage alcohol when families and children are present but cannot later at night when there are no families or children in the area.
2. At around 9.00pm on a Saturday evening I had walked the length of the beach on Marine Parade and had advised persons consuming alcohol on the beach that it was now an alcohol free zone. After advising several groups and these groups leaving, I walked onto Church St.

I observed a male drinking alcohol from a glass bottle of beer. He was standing with a group of approximately 6-8 people. I advised him that the CBD and waterfront was a liquor ban area and that he could not consume alcohol in public after 8.00pm. He asked me what the hours were, and I advised that they started at 8.00pm and ended at 8.00 the following morning. He then asked me that if he goes straight to the beach after work at 5.00pm could he drink as much as he wanted in public until 8.00pm. I advised him that he could lawfully consume alcohol before 8.00pm. He then advised that from that point on that's what he would do, he would come straight from work and drink as much as he could in 3 hours on the beach.

3. On a Tuesday in January 2018 I was conducting areas along Marine Parade for a missing person. I observed 2 males standing under a tree (in front of the toilets by Botswana Butchery) on the beach and they were highly intoxicated. It was 8:12am, the sun was up and there were plenty of people and families walking and running along the waterfront. They had three 1.5 cider bottles that were all partially drunk. They also had food wrappers and partially eaten food on the ground. I asked them to move on due to their level of intoxication. They said they were heading back to their hostel. They were from the UK. I returned at 8.28am and they had moved 3 metres and were seated by the rubbish bins continuing to drink. There were now more people on the beach and people were looking at them with distain. I had a discussion with them around whether there was a more appropriate place to be rather than on a beach with tourists arriving. They then walked up Church Street and I was approached by a rubbish collector who stated, "these people are ruining Queenstown". This behaviour again appears incongruent as before 8.00am they cannot consume alcohol in this place but after 8.00am they can. The same danger, risk and harm are present irrespective of the hour of day.
4. While patrolling in the CBD and on the waterfront in both Queenstown and Wanaka Police are constantly approached by members of the public, both residents of New Zealand and foreign travellers asking with surprise if they can drink alcohol in public places. They have observed people drinking alcohol and cannot believe that it is lawful. Police advise the hours of the liquor ban and people express how they could never do this in their hometown or home country.

This encourages visitors to Queenstown and Wanaka to consume alcohol in public places as they are often observed making their way to purchase alcohol or commenting that as costs continue to rise in all areas of life, they will look to save money by purchasing alcohol and drinking on the beach before visiting licenced premises.

5. Sgt Tracy HAGGART observed a middle aged couple drinking a bottle of wine on the Village Green, just lying on the grass together and drinking straight from the bottle, because everybody else was. As soon as that bottle was finished, she watched one of them go off and return with another bottle from the bottle store and then start consuming that straight from the bottle.

It is a common thought that Queenstown wants to be able to let mum and dad or the grandparents sit on the beach and enjoy a drink while the children play. The reality is that mum and dad sit, with their nice bottle of wine, next to a larger group of young people who have boxes of beers, boxes of pre-mixed spirits, who are drinking excessively and becoming loud, intimidating and disrupting others around them. This is permitted because of the timings of the current alcohol ban.

6. Sergeant Bridget MARTIN had an interaction with a member of the public where after initially saying it would be a shame to take away the ability for someone to enjoy a glass of wine on the lake front, she said "I would not take my family there for a picnic, no way" agreeing it was not a family friendly environment in the evening.

If the aim is to prevent alcohol related harm, creating a 'norm' of drinking alcohol when you go to the beach is counterproductive. This also sets an example for young people to follow.

7. Christmas day on Queenstown beach was historically a large issue for the Police and Council before full 24 hours liquor bans were created. The "Orphans Christmas" on Marine Parade formerly attracted thousands of people who would consume extremely large quantities of alcohol in the sun on the beach

This created an extremely hazardous environment where intoxicated people consumed alcohol to excess and resulted in high numbers of assaults, sexual assaults and disorder. The amounts of rubbish created by events like this proved problematic to manage and left the beach littered with empty alcohol containers and food packaging.

This drew negative comments from members of the public who were out enjoying the beach and CBD on a Christmas day holiday away from their homes.

When patrolling Police receive frequent complaints about groups of people upsetting others as a result of those groups consuming alcohol to excess at the beach, particularly in the summertime and during both the day and the evening. There are also similar complaints about the mess that is left behind and the complainant's often express disgust. This is a tourist destination, attracting many people from overseas, or New Zealanders on holiday, and it is often these people who express these views.

Having a permanent 24 hour alcohol free zone in place would reduce any confusion. Everyone would be aware that alcohol possession and consumption anywhere in the area, any time of day is prohibited. With the boundaries clearly defined hotels, backpackers and businesses within the area would be able to advise guests that the moment they step out the door they are entering an alcohol free zone. This would reduce confusion and reduce harm.

Although during winter drinking outside is not so prevalent, during summertime large groups can gather on the beach front and on the reserves. However throughout the various Covid levels and as the cost of living crisis continues Police continue to see people looking save money by drinking alcohol in public places or in their vehicles in public places. It is common to see in other larger centres people consuming in or around their vehicles and then returning to these vehicles throughout the evening to consume alcohol.

During the Summer Holiday period, when resources permit, most evenings Police spend considerable time reminding people of the alcohol ban and asking them to comply. It is difficult to provide exact numbers of incidents that show clear evidence of harm around the consumption of alcohol in the CBD.

It is often a passing comment by a person who has witnessed or complained about the behaviour of an intoxicated person or group. Police may deal with the group, remove alcohol and ask them to move on. Unless they are arrested, there is nothing to count unless we note down how many contacts or people we have warned and count these.

Police Submit these Recommendations:

A permanent 24hour alcohol ban year round consistent with many other locations around New Zealand and with many other countries that Queenstown's visitors come from.

Large, clear signage and boundary markers marking the alcohol free zone.

Providing posters on the alcohol free zone to all accommodation providers and to all businesses selling alcohol to be displayed on premises.

Information given to visitors coming through the airport and through visitor centres on Queenstown's Alcohol Free zone.

All agencies working together to promote and Police an alcohol free zone and prevent harm around alcohol consumption.

NOTE:

I wish to make an oral submission as I have data and visual aids to present but do to the nature of the information, I am unable to provide in written format.



Alcohol Restrictions in Public Places Bylaw 2018

Queenstown Lakes District Council

Date of making: 25th October 2018
Commencement: 30th November 2018

This bylaw is adopted pursuant to the Local Government Act 2002 and the Bylaws Act 2010, by Resolution of the Queenstown Lakes District Council on 25th October 2018.

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Part 1 – Preliminary

Title

- 1.1 This Bylaw shall be the “Alcohol Restrictions in Public Places Bylaw 2018”.

Commencement

- 1.2 The Bylaw shall come into effect on 30th November 2018.

Purpose

- 1.3 The purpose of this Bylaw is to:
- (a) reduce the potential for alcohol related offensive behaviour and harm, damage, disorder and crime and to promote and improve community health and safety.
 - (b) achieve its objective by putting in place controls and restrictions on the possession, consumption and carriage of alcohol, in some public places within the Queenstown Lakes District.

Interpretation

- 1.4 For the purposes of this Bylaw, the following definitions shall apply,-

Act means the Local Government Act 2002 or any superseding legislation.

Alcohol means a substance—

- (a) that—
 - (i) is or contains a fermented, distilled, or spirituous alcohol; and
 - (ii) at 20°C is found on analysis to contain 1.15% or more ethanol by volume; or
- (b) that—
 - (i) is a frozen liquid, or a mixture of a frozen liquid and another substance or substances; and
 - (ii) is alcohol (within the meaning of paragraph (a)) when completely thawed to 20°C;
or
- (c) that, whatever its form, is found on analysis to contain 1.15% or more ethanol by weight in a form that can be assimilated by people

Council means the Queenstown Lakes District Council.

National Crate Day means the first Saturday of December.

Offence means an offence under Section 239A of the Act that is a breach of this bylaw.

Person has the same meaning given in the Interpretation Act 1999.

Public Place means a place –

- (a) that is open to or is being used by the public, whether free or on payment of a charge, and whether any owner or occupier of the place is lawfully entitled to exclude or eject any person from it; but
- (b) does not include licensed premises.

Specified Period means:

- (a) From 8.00 pm on any day to 8.00 am the following day; and
- (b) 6.00 am on 27 December of any given year to 6.00 am on 6 January the following year; and
- (c) 6.00 am on the opening day of the Queenstown Winter Festival to 6.00 am the day after the closing day of the Queenstown Winter Festival; and
- (d) 12.00 am on National Crate Day (or any variation of this event or promotion) of any given year to 12.00 am on the following day for the public areas in Queenstown defined in Schedule 2; and
- (e) any additional period that may be defined by the Council by resolution from time to time in accordance with clauses 1.6 to 1.8 of this bylaw.

Specified Public Place means a public place defined or listed in Schedule 1 and such additional place as may be defined by the Council by resolution from time to time in accordance with clauses 1.6 to 1.8 of this bylaw.

Temporary Alcohol Restriction Zone means a zone described in a resolution of the Council made under this bylaw in which the prohibitions under clauses 1.5 are temporarily in place in the public places within the zone and during the times, days or dates specified in the resolution.

Vehicle means a vehicle as defined in section 2 of the Land Transport Act 1998, but does not include an ambulance, fire engine or police vehicle.

1.5 Any explanatory notes and attachments are for information purposes, do not form part of this Bylaw, and may be made, amended and revoked without any formality.

1.6 The Interpretation Act 1999 applies to this Bylaw.

Part 2 –Alcohol restrictions

Prohibitions

1.7 The following acts are prohibited:

- (a) The consumption of alcohol in any Specified Public Place during any Specified Period;
- (b) The possession of alcohol in any Specified Public Place during any Specified Period;
- (c) The bringing of alcohol into any Specified Public Place during any Specified Period; and
- (d) The consumption and possession of alcohol in a vehicle in any Specified Public Place during any Specified Period.

Additions to Specified Periods and Specified Public Place by resolution

- 1.8 The Council may from time to time (by resolution adopted following use of the special consultative procedure, as set out in sections 83 and 156 of the Act) define any additional period to be included within the meaning of Specified Period as defined in this bylaw.
- 1.9 The Council may from time to time (by resolution adopted following the use of the special consultative procedure, as set out in sections 83 and 156 of the Act) define any additional zone to be included within the meaning of Specified Public Place as defined in this bylaw.
- 1.10 Every resolution made under clause 1.8. or clause 1.9 above shall be publicly notified at least 14 days before it shall take effect.

Temporary Alcohol Restriction Zones

- 1.11 The Council may declare a Temporary Alcohol Restriction Zone by resolution which will describe the specific zone and the times, days or date during which the prohibitions imposed under clause 1.7 apply to any public place in that zone;
- 1.12 Before the Council declares a Temporary Alcohol Restriction Zone it will comply with sections 77 – 82 of the Act;
- 1.13 Any resolution made under clause 1.11 shall be publicly notified at least 14 days before it shall take effect.

Exemptions

- 1.14 The bylaw does not prohibit, in the case of alcohol in an unopened bottle or other unopened container –
- (a) the transport of that alcohol from premises that adjoin a Specified Public Place during any period when, under the Sale and Supply of Alcohol Act 2012 it is lawful to sell alcohol on those premises for consumption off the premises, provided the alcohol is promptly removed from the Specified Public Place;
 - (b) the transport of that alcohol from outside a Specified Public Place for delivery to premises that adjoin the Specified Public Place, provided the premises are licensed for the sale of alcohol under the Sale and Supply of Alcohol Act 2012;
 - (c) the transport of that alcohol from outside a Specified Public Place to premises that adjoin a Specified Public Place –
 - (i) by, or for delivery to, a resident of those premises or by his or her bona fide visitors;
or
 - (ii) from those premises to a place outside the Specified Public Place by a resident of those premises, provided the alcohol is promptly removed from the Specified Public Place.
- 1.15 This bylaw does not apply to any areas or activities where the sale or consumption of alcohol is authorised by any licence issued under the Sale and Supply of Alcohol Act 2012, including:
- (a) any public place which is part of a licensed premises' outdoor area, where permission to occupy the area has been granted by the Council.

- (b) any public place that is subject to a special licence issued by the Council for the term of that licence;
- (c) any vehicle in a public place to which a licence under the Sale and Supply of Alcohol Act 2012 applies;
- (d) any event held in a public place at which alcohol is served pursuant to a caterer's licence endorsed pursuant to section 38 of the Sale and Supply of Alcohol Act 2012.

Police powers of search in Temporary Alcohol Restriction Zones

- 1.16 This bylaw authorises members of the Police to exercise the power of search under section 169(2)(a) of the Act for the purposes of section 170(2) of the Act in relation to any zone which has been declared a Temporary Alcohol Restriction Zone by resolution of the Council under clauses 1.11 to 1.13.
- 1.17 Subject to clause 1.18 below, the powers of search contemplated under clause 1.16 can be exercised by the Police immediately and without further notice.
- 1.18 Clause 1.16 only applies if the resolution declaring a Temporary Alcohol Restriction Zone provides that clause 1.16 of this bylaw will apply.

Part 3 – General Provisions

Offence

- 1.19 Every person who breaches this bylaw commits an offence.
- 1.20 Every person who commits an offence under this bylaw is liable to a penalty under the Local Government Act 2002.

Signage

- 1.21 Where it is practicable and reasonable to do so, the Council will erect signage within public places covered by this bylaw to provide information to the public about the restrictions imposed under the bylaw. The size, location and terms of the signage will be at the Council's discretion.
- 1.22 To avoid doubt, the absence of signage in any public place does not authorise a breach of this bylaw.

Dispensing Powers

- 1.23 The Chief Executive of the Council may waive compliance with any provision of this bylaw in any case where the Chief Executive is of the opinion that full compliance would needlessly cause harm, loss or inconvenience to any person or business without any corresponding benefit to the community.
- 1.24 The Chief Executive may in his discretion impose conditions of any such waiver granted under clause 1.23.

Revocations

- 1.25 The Queenstown Lakes District Council Alcohol Ban Bylaw 2014 is revoked.

Schedule 1 - Specified Public Places

The zones identified below are those zones which have been classified as Specified Public Places in relation to which the prohibited acts as defined in clause 1.7 of this bylaw apply during any Specified Period.

(i) Queenstown

- (i) The whole of the Lake Wakatipu foreshore area from the One Mile Roundabout to Park Street and including the Queenstown Gardens; and
- (ii) The area from the foreshore to an outer boundary formed by and including the following street and road reserves:

Lake Esplanade

Lake Street

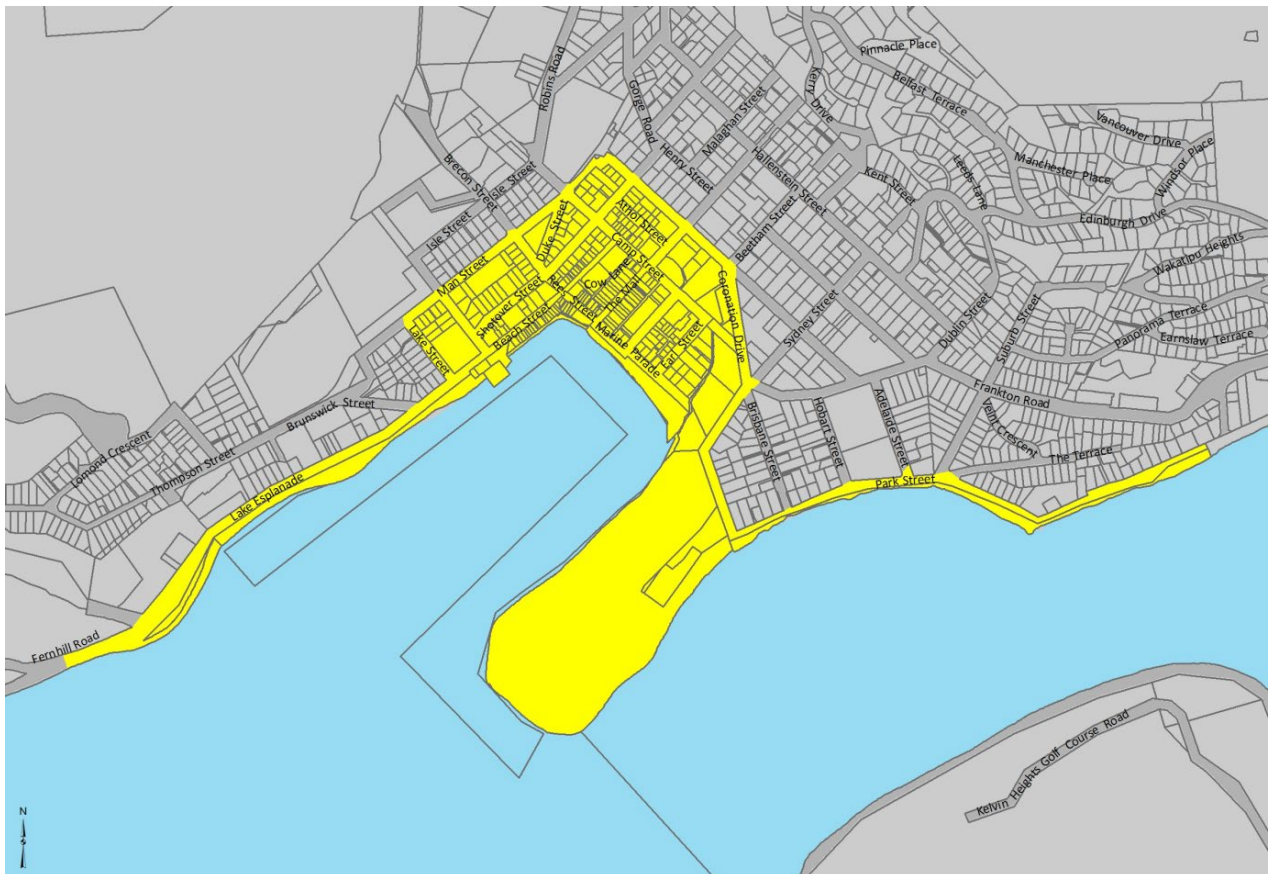
Man Street

Memorial Street

Stanley Street

Coronation Drive

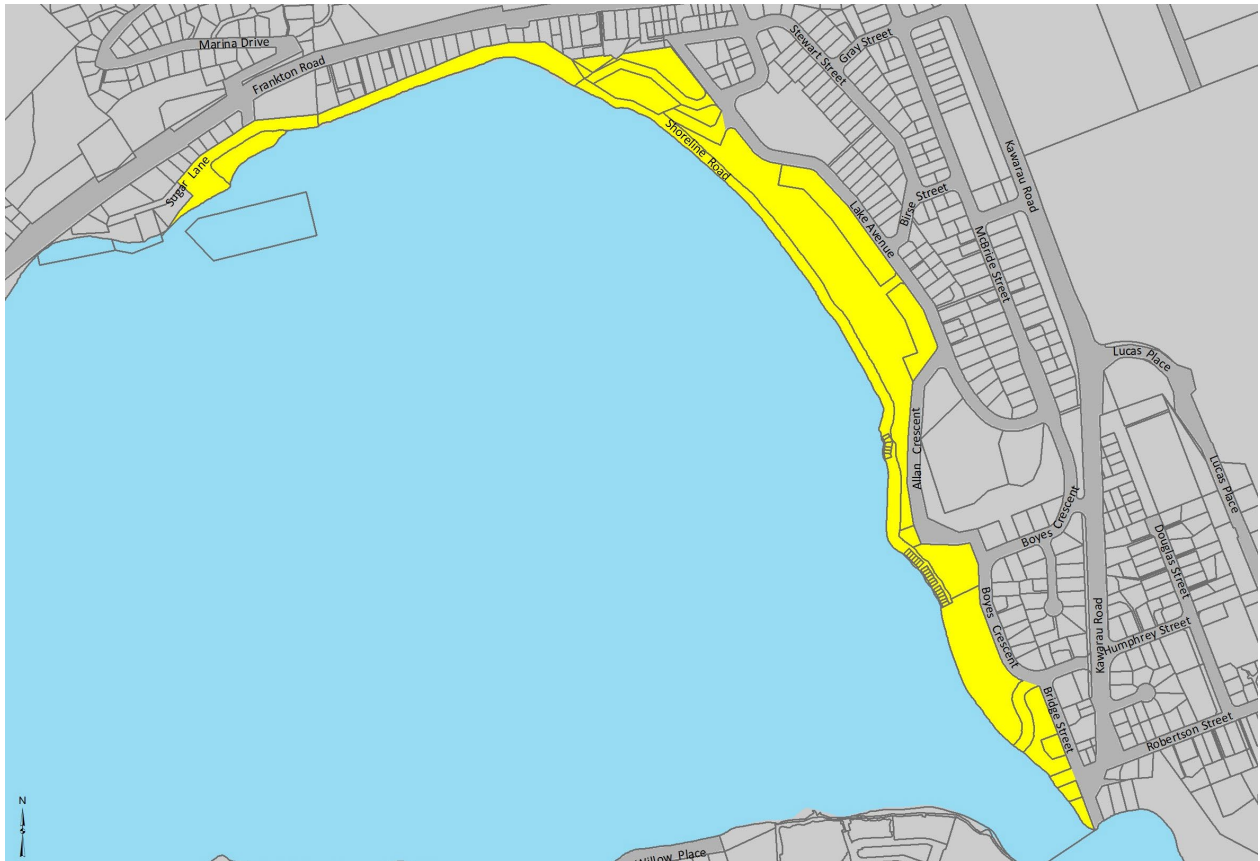
Park Street to the Lake Wakatipu foreshore area directly adjacent to the Queenstown Gardens



(2) **Frankton**

- (i) The whole of the Lake Wakatipu foreshore from the Kawarau Bridge to Frankton Marina, and
- (ii) The area from the foreshore to an outer boundary formed by and including the following streets and road reserves:

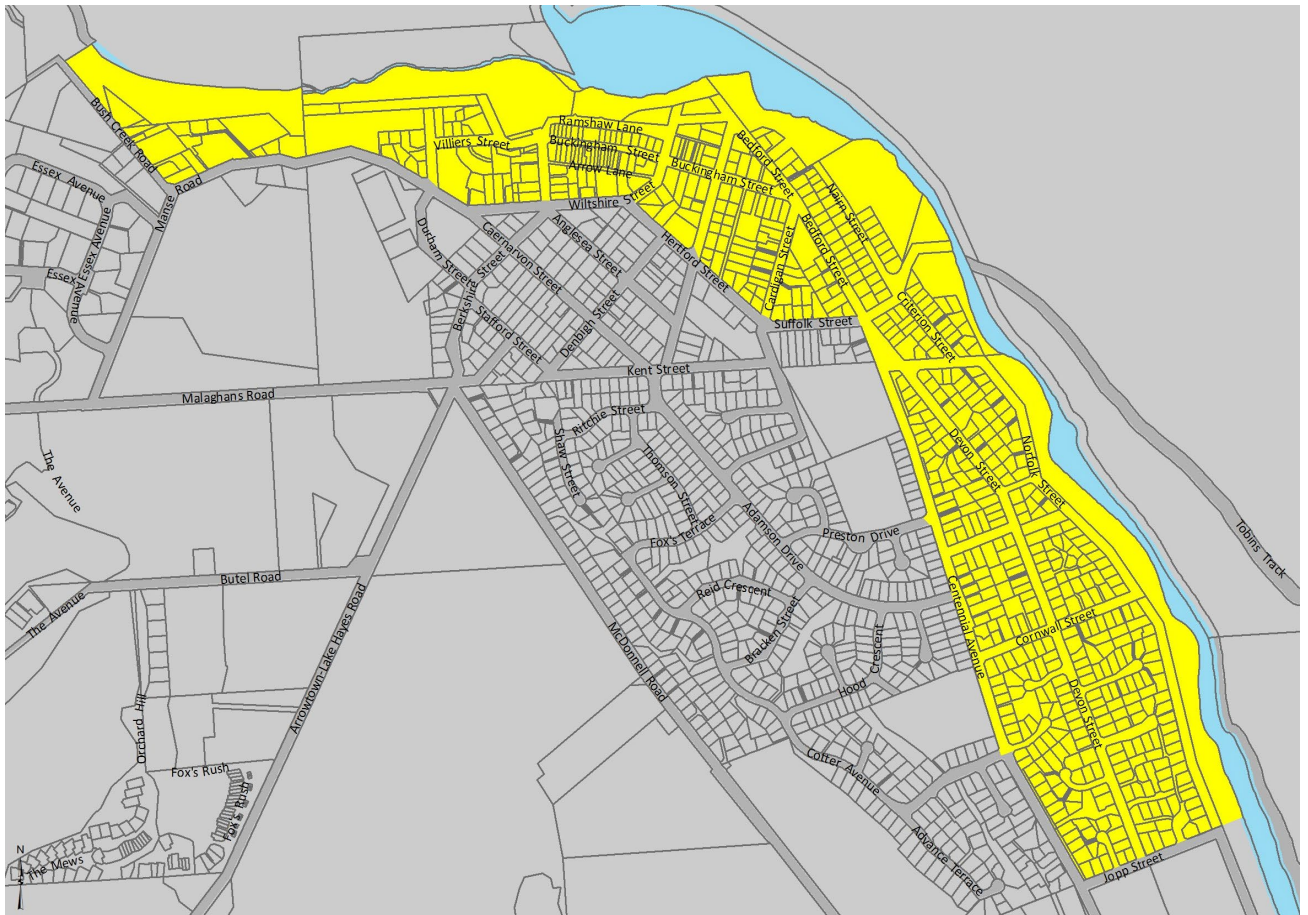
Bridge Street
Boyes Crescent
McBride Street (from Boyes Crescent to Lake Avenue) Lake Avenue



(3) Arrows town

- (i) The north-eastern boundary being formed by the area 50m to the north of Bush Creek river bank, including Bush Creek Reserve, 100m either side of the Arrow River to the point where the Arrow Irrigation Company pipeline crosses the river, 50m to the north of the Arrow River and including Wilcox Green, O'Callaghan Reserve and the Arrow River 150th Anniversary walking track to and including the bridge to the south of Jopp Street; and
- (ii) The area from the north-eastern boundary to an outer boundary formed by and including the following streets and road reserves:

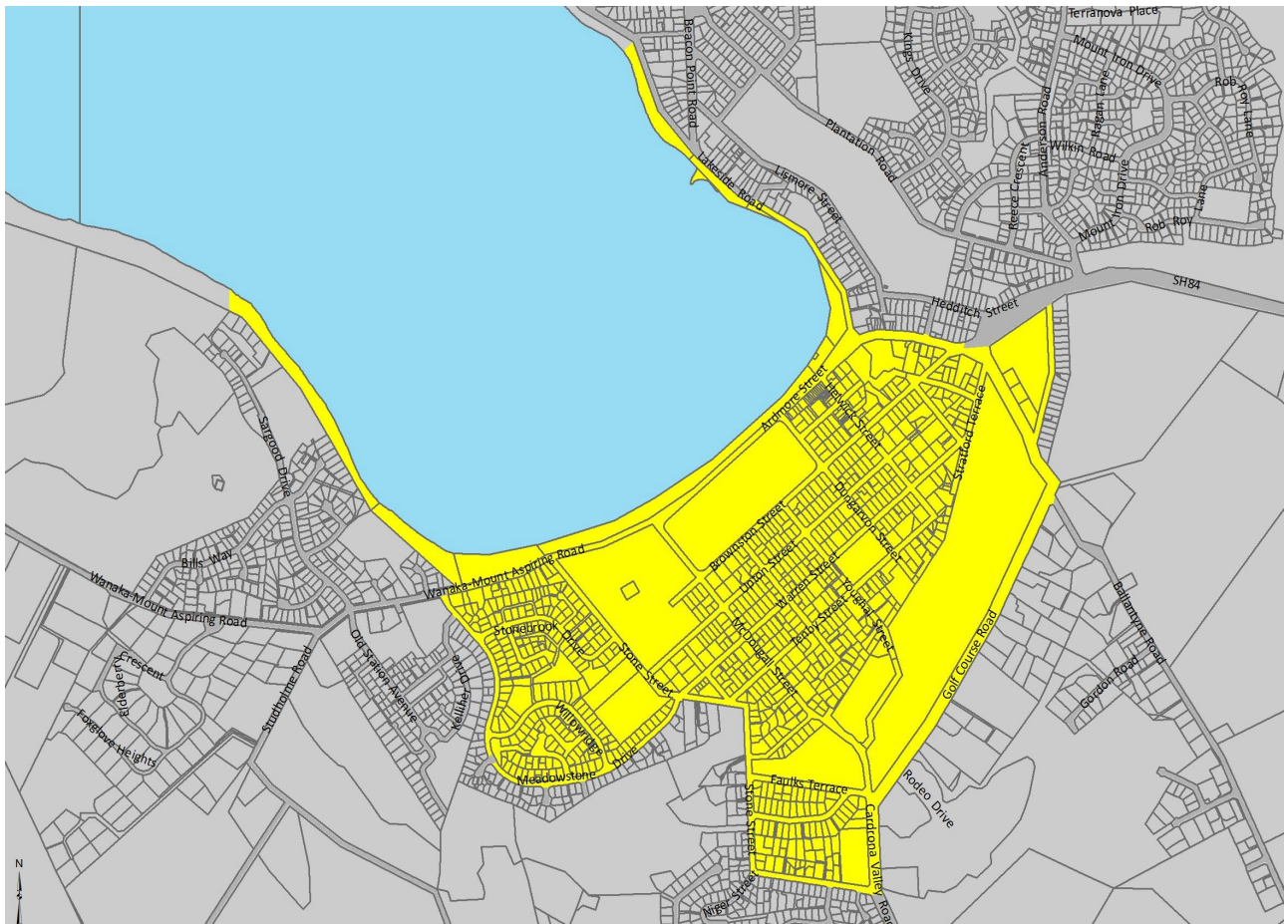
Bush Creek Road
Manse Road
Caernarvon Street
Wiltshire Street
Hertford Street
Suffolk Street
Centennial Avenue
Jopp Street



(4) **Wanaka**

- (i) The whole of the Lake Wanaka foreshore area from Sunrise Bay/ Edgewater to Penrith Park; and
- (ii) The area from the foreshore to an outer boundary formed by and including the following streets and road reserves:

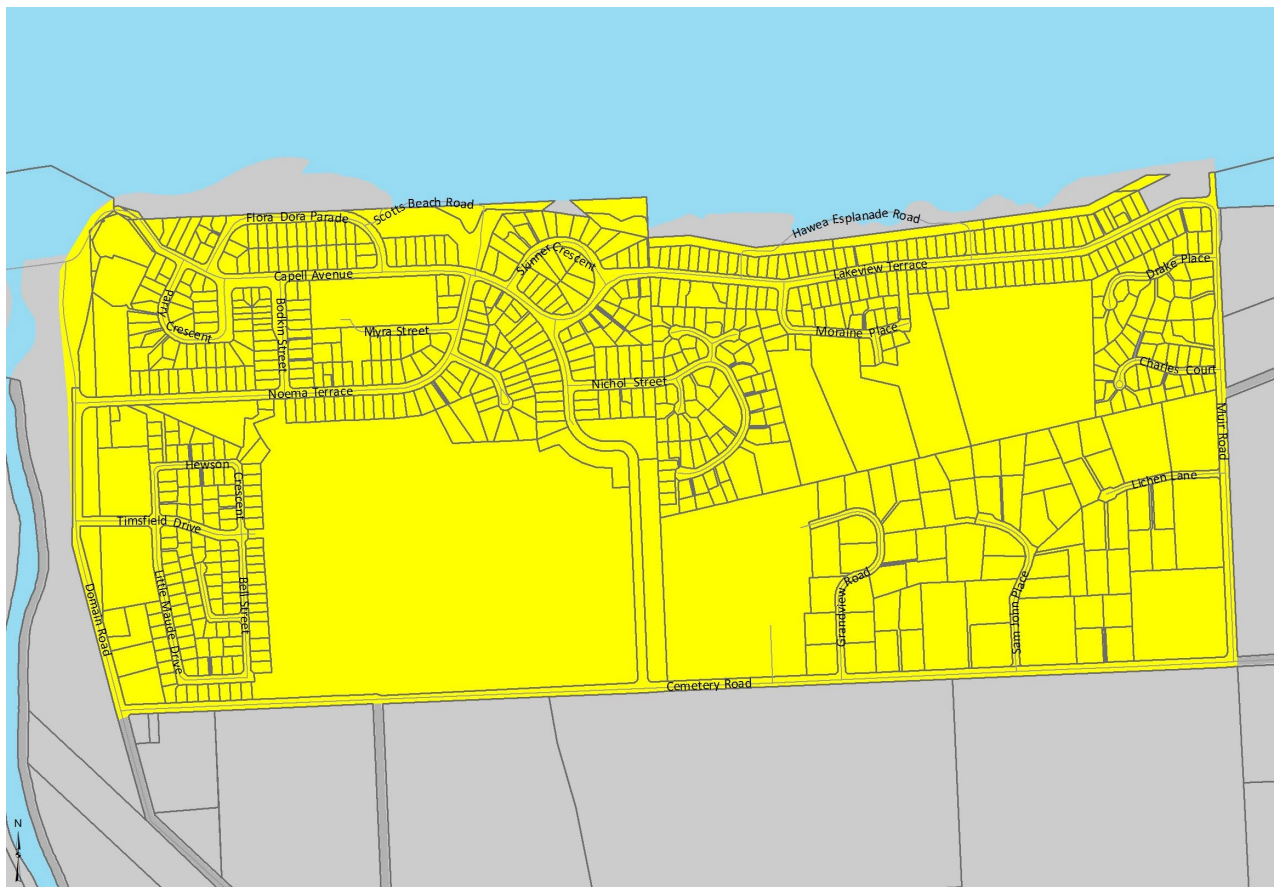
Meadowstone Drive
Stone Street
Golf Course Road
Macpherson Street
State Highway 84
Ardmore Street



(5) Lake Hawea

- (i) The whole of the Lake Hawea foreshore area from Domain Road to Muir Road; and
- (ii) The area from the foreshore to an outer boundary formed by and including the following streets and road reserves:

Muir Road
 Cemetery road
 Domain Road



Schedule 2 - National Crate Day (Or Any Variation of this Event or Promotion) Restriction

(6) **Queenstown**

- (i) The whole of the Lake Wakatipu foreshore area from the One Mile Roundabout to Park Street and including the Queenstown Gardens; and
- (ii) The zone from the foreshore to an outer boundary formed by and including the following street and road reserves:

Lake Esplanade
Lake Street
Man Street
Memorial Street
Stanley Street
Coronation Drive
Park Street to the Lake Wakatipu foreshore area directly adjacent to the Queenstown Gardens
Boundary Street Carpark

