

14. 8. 2006

**ALCOHOL POLICY AND LIQUOR CONTROL BYLAW SUBCOMMITTEE  
23 JULY 2008**

**A meeting of the Alcohol Policy and Liquor Control Bylaw Subcommittee  
was held on 23 July 2008 at 1pm**

**PRESENT:** Councillor Sue Wells (Chairperson), Councillors Helen Broughton, Sally Buck, Ngaire Button, Yani Johanson, Bob Shearing and Chrissie Williams.

**IN ATTENDANCE:** Councillor Norm Withers.

**APOLOGIES:** Apologies for absence were received and accepted from Councillors Claudia Reid and Mike Wall. Councillor Shearing departed at 1.30pm and was not present for part of Clause 2 and Clauses 3 to 6. Councillor Johanson departed at 2.45pm and was not present for Clauses 5 and 6. Councillor Broughton departed at 3.10pm and was not present for part of Clause 6.

The Subcommittee reports that:

**PART A - MATTERS REQUIRING A COUNCIL DECISION**

**1. PROPOSED TIMETABLE FOR THE EXISTING LIQUOR CONTROL BYLAWS AND ALCOHOL POLICY**



A revised timetable for the review of the bylaws and policy was tabled by staff (attached).

Reasons for the revised timetable included:

- clarifying the statutory deadline to review the bylaws (by 1 July 2009)
- clarifying that there is no statutory deadline for the review of the policy
- acknowledging that the bylaw and the policy are not linked and although they both relate to alcohol, they are made under different Acts and cover different and separate matters
- having a clear separation between the consultation on the bylaw and the consultation on the policy
- delaying the later stages of policy development until there is more clarity over possible changes to the Sale of Liquor Act and until the results of the High Court Queenstown District Lakes decision are out (both of which may impact on the development of the revised policy).

The Subcommittee did not reach agreement on the revised timetable and staff were asked to prepare a further revised timetable in consultation with the Chair of the Subcommittee.

**Subcommittee Recommendation:**

1. That the Subcommittee, considering the statutory requirement to review the Liquor Control Bylaws by 30 June 2009, recommends that the Council adopts the attached revised timetable for the bylaw review and undertakes the development of the Liquor Licensing Policy concurrently, to the extent possible.
2. That the Subcommittee make a presentation to the Council at its 14 August 2008 meeting on the Alcohol Policy and Liquor Control Bylaw matters, as considered in the course of the meeting.

**PART B - REPORTS FOR INFORMATION**



**2. REPORT BACK FROM COMMUNITY BOARD SEMINAR 7 JULY 2008**

A report on the combined Community Board Seminar was tabled. The report covered:

- Background/Focus
- Focus discussion on specific questions
- Notes of discussion feedback

**3. POLICE REPORT SEEKING TIME AND LOCATION EXTENSIONS TO CURRENT LIQUOR BAN AREAS**

Inspector Gary Knowles provided a PowerPoint presentation to highlight the request for time and location extensions to current liquor ban areas covering:

- Background
- Why need for change
- Enforcement on bylaws
- Current liquor ban area
- Liquor ban area extension
- Conclusion - Important tool
  - Greater focus on signal crime
  - Dealing with violence and alcohol-related harm

The presentation included a number of photographs to illustrate the alcohol-related problems in Christchurch.

A general discussion followed which included:

- Other areas where bans should be imposed
- The effect of any ban, which could lead to the problem shifting location elsewhere
- The use of the Litter Act to control broken glass and litter
- The powers of the Police in behavioural matters
- The effect of the bylaw in an increasingly violent society
- The compound effect of party buses

It was **agreed** that legal advice be obtained as to whether the advice obtained in 2004 that a liquor ban could not be imposed right across the city, had changed.

**4. POSSIBLE NON-REGULATORY APPROACHES TO ALCOHOL-ASSOCIATED PROBLEMS - RUBBISH AND GLASS IN THE CENTRAL CITY**

Information was provided on the operations carried out by cleaning contractors in the central city and was illustrated by a number of photos depicting:

- Anti-social behaviour
- Interference with cleaning operations
- Litter involving bottles thrown around
- The use of 44 gallon drums as a trial measure
- The need for repeated cleaning operations
- The emphasis being placed on keeping the central city clean during daylight hours
- The extent to which broken glass is now being found
- The ongoing problems
- The 4am-7am main problem time

The Subcommittee **supported** the measures taken by the Council's cleaning operations team and the emphasis being placed on the cleaning programme including the introduction of waste skips fitted with basketball hoops for a trial period.

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**5. CHRISTCHURCH CITY COUNCIL SUBMISSION ON GEORGE HAWKINS' BILL:  
SALE OF LIQUOR (OBJECTIONS TO APPLICATIONS) AMENDMENT BILL**

In conjunction with the discussion on this Bill, members were advised that a meeting has also been held with Lianne Dalziel MP about the preparation of a Government Bill proposing wider changes to the Sale of Liquor Act, and whether this would supersede the Hawkins' Bill.

With the house rising in a few short months, no certainty could be given as to the progress of the Bill.

A PowerPoint presentation was provided on the Bill detailing:

- Times for submissions on the Hawkins Bill
- Local Government New Zealand submission
- Government Bill being prepared
- Matters for consideration

The Subcommittee **agreed** that submissions should be made by the Council on the Hawkins Bill or any superseding bill that might arise in the near future.

A report and submission are to be prepared for the August Regulatory and Planning meeting on the Sale of Liquor (Objections to Applications) Amendment Bill.

**6. BACKGROUND INFORMATION DOCUMENT**

A comprehensive document backgrounding information to the Council's 2008/09 Review of the Alcohol Policy and Liquor Control Bylaw was tabled for information.

The Subcommittee **decided** that in view of the number of issues surrounding the policy and bylaw matters a separate meeting of the Subcommittee be arranged.

The meeting concluded at 3.20pm.

**CONFIRMED THIS 14<sup>TH</sup> DAY OF AUGUST 2008**

**MAYOR**

**Attachment to Clause 1 Alcohol Policy and Liquor Control Bylaw Subcommittee 14.8.08**

**REVISED BYLAW REVIEW AND POLICY REVIEW TIMETABLES - FOR ADOPTION (AUG 08 VERSION)**

<b>Bylaw Review – Liquor Ban in Public Places</b>	
Agreement from Subcommittee on the coverage of the proposed bylaw	Development between now and October 2008
Proposed bylaw to Regulatory and Planning Committee – for recommendation to Council	Meeting of 6 November 2008 (report submission deadline 21 October 2008)
Proposed bylaw to the Council – for adoption for consultation	Last scheduled meeting of 2008 – 27 November (report submission deadline 6 November)
Special Consultative Procedure begins– LGA requires consultation for at least one month	Consultation begins late January 2009 and finishes late February 2009 (approx five weeks)
Hearings	Mid March 2009
Final bylaw consideration and approval by the Council	Meeting in May 2009 (report submission deadline April 09)

Advantages of the revised bylaw timetable:

- Allows realistic time for bylaw development and analysis, as well as stakeholder engagement pre-consultation
- The bylaw's development will be completed this year (adoption for consultation at the last scheduled Council meeting of the year)
- Allows adequate time for consultation and hearings (both could not be completed prior to the Christmas break)
- Gets the consultation process completed before LTCCP consultation processes start (LTCCP: consultation mid-March to late April, hearings May, adoption late June 2009)
- Comfortably meets the statutory review deadline.

<b>Policy Review – Liquor Licensing</b>	
Early stages of policy development occurs alongside development of bylaw	Now onwards
Any relevant information arising from submissions and hearings on the bylaw is fed into the policy development process	Alongside bylaw process
General agreement from Subcommittee on the form and coverage of the revised policy	Early 2009 – February/March
Draft policy text agreed by the Subcommittee	March/April 2009
Draft policy considered by Regulatory and Planning Committee – for recommendation to the Council	Meeting in April 2009 (report submission deadline March/April 09)
Draft policy adopted by the Council – for consultation	Meeting in May 2009 (report submission April/May 2009)
Consultation (and hearings?)	June/July 09 (depending on date of Council approval and whether or not hearings are held)
Final policy approved by the Council	Meeting in August 09 (report submission deadline July 2009)

Advantages of the revised policy timetable:

- Clearly separates consultation on the bylaw (Jan/Feb 2009) and the policy (Jun/Jul 2009)
- Allows any issues arising from the development of the bylaw to be taken into account
- Allows realistic time to develop the policy, as well as undertake stakeholder engagement pre-consultation
- Allows time for further clarity on any legislative change, and for the High Court decision to come out
- Avoids overlapping with the LTCCP processes.