

29 November 2018

Masterton District Council  
PO Box 444  
Masterton 5810

To Whom It May Concern

**Re: Alcohol Control Bylaw**

Thank you for the opportunity to provide a written submission on this consultation document.

Regional Public Health serves the greater Wellington Region, through its three district health boards (DHBs): Capital & Coast, Hutt Valley and Wairarapa and as a service is part of the Hutt Valley District Health Board.

We work with our community to make it a healthier safer place to live. We promote good health, prevent disease, and improve the quality of life for our population, with a particular focus on children, Māori and working with primary care organisations. Our staff includes a range of occupations such as: medical officers of health, public health advisors, health protection officers, public health nurses, and public health analysts.

Our service delivery includes work to reduce alcohol related harm in the Wairarapa and we are one of the three reporting agencies in the *Sale and Supply of Alcohol Act 2012* reporting on liquor licence applications.

We are happy to provide further advice or clarification on any of the points raised in our written submission. We wish to appear before the committee to speak to our written submission.

The contact point for this submission is:

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Kind regards

Dr Stephen Palmer  
Medical Officer of Health

Peter Gush  
Service Manager

## Section 1

### Summary

*Regional Public Health (RPH)* appreciates the opportunity to submit on the proposed Alcohol Control Bylaw.

**RPH supports** the Council's position to renew the bylaw and commends the Council on this proactive approach to reducing alcohol-related harm in the city.

**RPH recommends** amending the proposed bylaw to introduce a new area by the rugby grounds and the netball courts covering both sides of the road from Hacker Street to the Colombo Road Bridge. The details of this are covered in section 3.

Alcohol bans are generally well supported by residents and businesses. However the details are often not well known, especially by visitors. The council should ensure the bylaw is successfully communicated to the public so the details are well understood.

**RPH recommends** highly visible and simple signage be used to inform the public of the locations and times covered by the alcohol ban. This should be part of a wider communication and enforcement plan that supports its implementation.

## Section 2

### Support for Alcohol Control Bylaws

Public place drinking is one of a number of negative influences contributing to alcohol related harm. Public place settings are a common location for low level alcohol related offending, increase the opportunity for more serious alcohol-related violence<sup>1</sup> and increase the opportunities for drunk driving and underage drinking<sup>2</sup>.

Alcohol Control Bylaws are a widely used and well-established tool internationally and in New Zealand. Despite the more stringent criteria under section 147A and 147B of the *Local Government Act 2002* these bylaws continue to be popular strategies to reduce harm. They are known to improve perceptions of public safety and can contribute to the reduction of harm by providing police with a tool for dealing with antisocial behaviour caused by drinking in public<sup>3</sup>. They can also contribute to a change in people's perception of social norms through alcohol being less visible in public and can help limit consumption to more controlled or supervised environments.

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<sup>1</sup> Stevenson, R. (2009, April). *National Alcohol Assessment*. NZ Police. <https://www.police.govt.nz/sites/default/files/Police-National-Alcohol-Assessment.pdf>

<sup>2</sup> Webb, M., Marriott-Lloyd, P. A. U. L., & Grenfell, M. (2004, May). Banning the bottle: Liquor bans in New Zealand. In *3rd Australasian Drug Strategy Conference*. Melbourne, Australia [http://www.moh.govt.nz/moh.nsf/pagescm/1047/\\$File/banningbottleliquorbans.pdf](http://www.moh.govt.nz/moh.nsf/pagescm/1047/$File/banningbottleliquorbans.pdf)

<sup>3</sup> Pennay, A., Manton, E., Savic, M., Livingston, M., Matthews, S., Lloyd, B. (2014). *Prohibiting public drinking in an urban area: Determining the impacts on police, the community and marginalised groups*. Turning Point Alcohol and Drug Centre. Funded by the National Drug Law Enforcement Research Fund. <http://www.ndlerf.gov.au/sites/default/files/publication-documents/monographs/monograph49.pdf>

The literature reports some limitations. Displacement can be a problem<sup>4 5</sup> and disadvantaged and marginalised groups are more likely to consume alcohol in public, either by choice or because of limited alternatives.<sup>6 7</sup>

Alcohol bylaws are most successful when part of a wider strategy.<sup>8 9</sup> These should include other regulations for supply control for example elements in a Local Alcohol Policy, as well as community based harm reduction initiatives, social and cultural programmes and access to health services.

Alcohol bylaws are most successful when the underlying causes are understood, that context addressed and the community are engaged in the solutions.

### **Support for an Alcohol Control Bylaw in Masterton**

Alcohol harm in Masterton from consumption in a public place is a particular subset of harm that is influenced by the easy availability of low cost alcohol from off licences and the high density of premises in the district. Harms from public place drinking are often associated with heavy or binge drinking. This consumption is influenced by certain social or cultural cues and its interaction with the local physical or built environment. Problem locations are commonly located in the central business district and in or around neighbouring public areas or public spaces near liquor outlets.

The areas at higher risk of acute alcohol related health harm in the District and therefore potentially greater risk of harm from public place consumption include Masterton Central, Masterton East, Lansdowne, Featherston, Solway South, Solway North and Carterton. The proposed bylaw covers specific areas in Masterton Central and Masterton East. This consultation may also give rise to new information or provide greater evidence to support additional areas in the bylaw.

### **The value of public consultation**

Members of the public often have insightful information on public place consumption and useful ideas on solutions. *RPH* commends the council on its early approach to the public with the community meeting on 19 November. We would be happy to discuss with you the outcome of this meeting as we explore ways of increasing public engagement and participation in local government.

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<sup>4</sup> Alcohol Advisory Council. (2005, October). *Liquor Bans in New Zealand: ALAC Occasional Publication no. 25*. <http://www.hpa.org.nz/research-library/research-publications/liquor-bans-new-zealand>

<sup>5</sup> Pennay, A., Manton, E., Savic, M., Livingston, M., Matthews, S., Lloyd, B., (2014). *Prohibiting public drinking in an urban area: Determining the impacts on police, the community and marginalised groups*. Turning Point Alcohol and Drug Centre. Funded by the National Drug Law Enforcement Research Fund. <http://www.ndlerf.gov.au/sites/default/files/publication-documents/monographs/monograph49.pdf>

<sup>6</sup> Pennay, A., Room, R. (2012). Prohibiting public drinking in urban public spaces: a review of the evidence. *Drugs: Education, prevention and policy*, vol 19(2), p 91-101

<sup>7</sup> Pennay, A., Manton, E., Savic, M., Livingston, M., Matthews, S., Lloyd, B., (2014). *Prohibiting public drinking in an urban area: Determining the impacts on police, the community and marginalised groups*. Turning Point Alcohol and Drug Centre. Funded by the National Drug Law Enforcement Research Fund. <http://www.ndlerf.gov.au/sites/default/files/publication-documents/monographs/monograph49.pdf>

<sup>8</sup> Alcohol Advisory Council. (2005, October). *Liquor Bans in New Zealand: ALAC Occasional Publication no. 25*. <http://www.hpa.org.nz/research-library/research-publications/liquor-bans-new-zealand>

<sup>9</sup> Pennay, A., Manton, E., Savic, M., Livingston, M., Matthews, S., Lloyd, B. (2014). *Prohibiting public drinking in an urban area: Determining the impacts on police, the community and marginalised groups*. Turning Point Alcohol and Drug Centre. Funded by the National Drug Law Enforcement Research Fund. <http://www.ndlerf.gov.au/sites/default/files/publication-documents/monographs/monograph49.pdf>

## Community knowledge of alcohol free zones

Having variable restrictions can cause confusion. Such concerns were raised in the *Law Commission* report *Alcohol in Public Places*.<sup>10</sup> It is important there is on-going clear communication about the specific locations and the times the ban operates throughout the life of the bylaw.

## Ensuring effectiveness and meeting legislative requirements

Evaluating an implemented policy is important to assess the impact both positive and negative. Prior to the next review it may be beneficial for the *Council* to again collaborate with other agencies involved in alcohol harm reduction and complete an evaluative impact assessment. This would provide policy makers with a high level of evidence supporting the requirements under the *Local Government Act*, support a sustainable approach to the wellbeing of communities and a participatory and consultative approach to policy-making.

## Section 3

### Submission Form Questions

#### Which of the following options do you support?

- \* Adopt the proposed Alcohol Control Bylaw with our recommended amendment.
  
- \* Community may be in a position to identify other locations and/or times where public place drinking is of concern. Their commentary and evidence will need to be considered and there should be potential for additional restriction as a response to those concerns.

#### Description of the amendment

*RPH* recommends the *Council* implement a new alcohol free zone on both sides of the road from Hacker Street to Colombo Road Bridge from 8.30am to 6pm on Saturdays. This proposal could be structured similarly to other descriptions in the draft in section 4.2.

The consumption or possession of alcohol in a public place (including in a vehicle), within the area outlined, is prohibited during the times shown below

- 8.30am - 6pm every Saturday

(see Appendix 1 for clarification of the area)

This area has been identified as having significant risk of harm from public place consumption. Drinking of alcohol has been observed in parked vehicles and on footpaths surrounding the Masterton Rugby Football Club grounds and is associated with spectators watching the Saturday rugby games. The area is a busy one frequented by adults and children with the netball courts adjacent to the club. Many people will be coming and going from the area and steps to manage public safety are necessary.

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<sup>10</sup> Law Commission. (2009). *Alcohol in our lives: An issues paper on the reform of New Zealand liquor laws*.

The introduction of this alcohol free zone would prevent rugby spectators from bringing off-licence alcohol to the games and prevent its subsequent consumption in the vicinity. Given areas of high health harm exist throughout the district and people travel to the venue to watch the games the potential for harm could be significantly reduced.

**For the 2018 Labour Weekend, alcohol free zones were in effect for all public places at Castlepoint and Riversdale Beach on Friday, Saturday and Sunday evening from 7pm to 7am the following day. Please indicate below if you support this continuing:**

*RPH* supports the ban at Castlepoint and Riversdale Beaches over the Labour Weekend. We are cognisant of the issues that were raised when the ban was first implemented and we accept the view that alcohol harm in these areas, at these times, would increase if the ban was revoked.

**Last New Year's (2017-18), alcohol free zones were in effect for all public places at Riversdale Beach and Castlepoint from 6pm on 30 December until midday on 1 January. Please indicate below if you support this continuing:**

*RPH* supports the ban at Castlepoint and Riversdale Beaches over the New Year period and we are again of the view that alcohol harm would increase if the ban was revoked.

*RPH* understands that hazardous drinking is more common over the New Year period than Labour Weekend and that this difference in drinking behaviour accounts for the different start times. However this can make the details of the bylaw more difficult for the public to remember. A 6pm start for both beach bans would be easier. Alternatively, communication to the public immediately prior to each time period reminding them of the start time could be an option.

**If you do support a vehicle ban at Castlepoint and/or Riversdale Beach, what time do you believe the ban should begin on 31 December?**

*RPH* understands the supportive role that vehicle bans have in improving public safety. The mix of transport and recreational vehicles on the beach with other beach users raises safety concerns especially at busy times. We also understand their value in protecting wildlife and the environment. Whilst supportive of actions to limit vehicle access *RPH* does not have sufficient information to determine the appropriate operational hours. We do recognise the decision must be a balanced one, considering all the issues and support a harm minimisation approach.

**Do you have suggestions for other actions Masterton District Council could take to address public safety or nuisance caused by alcohol-related incidents that you are concerned about in Masterton?**

Our health data shows that the number of all alcohol related admissions (wholly and chronic) in Masterton is trending upwards. When examined across the age groups those showing the most increase occurs in those in the age groups 65 years and older and 45 to 64 years and to a lesser extent in those aged 25 to 44 years. Admissions are decreasing for those aged 18 to 24 years but underage admissions whilst low in number are trending upwards.

The issues pertaining to the Wairarapa are well canvassed in the June 2017 alcohol report for the Community Alcohol Action Group and some useful suggestions put forward. This is a good starting point on which to plan and co-design collaborative delivery. *RPH* will continue to support the group and share in the delivery.

*The Council* has a role in supporting the Community Alcohol Action Group to achieve the goals outlined in the report prepared for the group in June 2017. We endorse actions that reduce the physical availability of alcohol and reduce the levels of and impact of alcohol advertising, marketing and sponsorship as part of a comprehensive alcohol harm reduction programme. For example the council could look to strengthen its Public Places Bylaw to reduce the impact of alcohol advertising and marketing including branding.

**Appendix 1: Area for New Alcohol Control Ban**

