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**PALMERSTON NORTH CITY COUNCIL**

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**AGENDA**

**COMMUNITY DEVELOPMENT**

**COMMITTEE**

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**9AM, WEDNESDAY 5 AUGUST 2020**

ELWOOD ROOM, CONFERENCE & FUNCTION CENTRE  
354 MAIN STREET, PALMERSTON NORTH

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## MEMBERSHIP

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**Lorna Johnson (Chairperson)**

**Rachel Bowen (Deputy Chairperson)**

**Grant Smith (The Mayor)**

**Brent Barrett**

**Susan Baty**

**Zulfiqar Butt**

**Renee Dingwall**

**Lew Findlay QSM**

**Patrick Handcock ONZM**

**Leonie Hapeta**

**Billy Meehan**

**Karen Naylor**

**Bruno Petrenas**

**Aleisha Rutherford**

**Danielle Harris**

**Agenda items, if not attached, can be viewed at:**

**pncc.govt.nz | Civic Administration Building, 32 The Square**

**City Library | Ashhurst Community Library | Linton Library**

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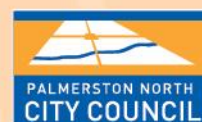
**Heather Shotter**

**Chief Executive, Palmerston North City Council**

**Palmerston North City Council**

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**Private Bag 11034, 32 The Square, Palmerston North**



## **COMMUNITY DEVELOPMENT COMMITTEE MEETING**

5 August 2020

### **ORDER OF BUSINESS**

NOTE: The Community Development Committee meeting coincides with the ordinary meeting of the Infrastructure Committee. The Committees will conduct business in the following order:

- Community Development Committee
- Infrastructure Committee

#### **1. Apologies**

#### **2. Notification of Additional Items**

Pursuant to Sections 46A(7) and 46A(7A) of the Local Government Official Information and Meetings Act 1987, to receive the Chairperson's explanation that specified item(s), which do not appear on the Agenda of this meeting and/or the meeting to be held with the public excluded, will be discussed.

Any additions in accordance with Section 46A(7) must be approved by resolution with an explanation as to why they cannot be delayed until a future meeting.

Any additions in accordance with Section 46A(7A) may be received or referred to a subsequent meeting for further discussion. No resolution, decision or recommendation can be made in respect of a minor item.

#### **3. Declarations of Interest (if any)**

Members are reminded of their duty to give a general notice of any interest of items to be considered on this agenda and the need to declare these interests.

**4. Public Comment**

To receive comments from members of the public on matters specified on this Agenda or, if time permits, on other Committee matters.

(NOTE: If the Committee wishes to consider or discuss any issue raised that is not specified on the Agenda, other than to receive the comment made or refer it to the Chief Executive, then a resolution will need to be made in accordance with clause 2 above.)

**5. Deputation - Enable New Zealand** Page 7

**6. Deputation - English Language Partners New Zealand** Page 9

**7. Confirmation of Minutes** Page 11

“That the minutes of the Community Development Committee meeting of 1 July 2020 Part I Public be confirmed as a true and correct record.”

**8. COVID-19 Relief Fund Guidelines** Page 17

Memorandum, presented by Joann Ransom, Community Development Manager.

**9. 2019/2020 Summary of Celebrating Communities and Local Initiatives Fund** Page 27

Memorandum, presented by Joann Ransom, Community Development Manager.

**10. Community Development Small Grants - Allocations for 2020/2021** Page 31

Memorandum, presented by Joann Ransom, Community Development Manager.

**11. Safety Advisory Board Strategic Plan** Page 37

Memorandum, presented by Patrick Handcock, Chair of the Safety Advisory Board and Joann Ransom, Community Development Manager.

12. **Feasibility of introducing a companion card for those with permanent disabilities** Page 45  
Report, presented by Joann Ransom, Community Development Manager.
13. **Papaioea Park Sports Pavilion - Tenant Lounge Option Analysis** Page 55  
Memorandum, presented by Bryce Hosking, Manager - Property and Kathy Dever-Tod, Manager - Parks and Reserves.
14. **Draft Local Alcohol Policy - Deliberations on Submissions** Page 63  
Report, presented by Julie Macdonald, Strategy & Policy Manager.
15. **Committee Work Schedule** Page 125
16. **Exclusion of Public**

To be moved:

“That the public be excluded from the following parts of the proceedings of this meeting listed in the table below.

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under Section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under Section 48(1) for passing this resolution

This resolution is made in reliance on Section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 6 or Section 7 of that Act which would be prejudiced by the holding of the whole or the relevant part of the proceedings of the meeting in public as stated in the above table.

Also that the persons listed below be permitted to remain after the public has been excluded for the reasons stated.

*[Add Third Parties]*, because of their knowledge and ability to assist the

meeting in speaking to their report/s [or other matters as specified] and answering questions, noting that such person/s will be present at the meeting only for the items that relate to their respective report/s [or matters as specified].

## DEPUTATION

**TO:** Community Development Committee

**MEETING DATE:** 5 August 2020

**TITLE:** Deputation - Enable New Zealand

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### RECOMMENDATION(S) TO COMMUNITY DEVELOPMENT COMMITTEE

1. That the Community Development Committee receive the presentation for information.

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### SUMMARY

Andrea Crutchley, Business Development Manager, Enable New Zealand will update the Committee regarding the work of Enable and Mana Whaikaha in the disability sector.

### ATTACHMENTS

Nil





## DEPUTATION

**TO:** Community Development Committee

**MEETING DATE:** 5 August 2020

**TITLE:** Deputation - English Language Partners New Zealand

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### RECOMMENDATION(S) TO COMMUNITY DEVELOPMENT COMMITTEE

1. That the Community Development Committee receive the deputation for information.
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### SUMMARY

Ms Helen van den Ende of English Language Partners New Zealand will make a deputation regarding who/what English Language Partners is as an organisation and more specifically their role in the Palmerston North community. They will also share some of the issues they face working as a charity, especially post Covid.

### ATTACHMENTS

Nil



# PALMERSTON NORTH CITY COUNCIL

## Minutes of the Community Development Committee Meeting Part I Public, held in the Elwood Room, Conference & Function Centre, 354 Main Street, Palmerston North on 1 July 2020, commencing at 9.00am

<b>Members Present:</b>	Councillor Lorna Johnson (in the Chair), The Mayor (Grant Smith) and Councillors Brent Barrett, Susan Baty, Rachel Bowen, Zulfiqar Butt, Renee Dingwall, Patrick Handcock ONZM, Leonie Hapeta, Billy Meehan, Karen Naylor, Bruno Petrenas, Aleisha Rutherford, and Danielle Harris (Rangitāne representative).
<b>Non Members:</b>	Councillor Vaughan Dennison.
<b>Apologies:</b>	Councillors Lew Findlay QSM and Tangi Utikere.

**NOTE:** Prior to the commencement of the meeting, Danielle Harris made a Declaration of Office.

### Declaration of Interest

Danielle Harris advised she is a member of PN Housing Committee and Te Rangi Maro Housing Trust.

### 15-20 Apologies

Moved Lorna Johnson, seconded Rachel Bowen.

### The COMMITTEE RESOLVED

1. That the Committee receive the apologies.

Clause 15-20 above was carried 15 votes to 0, the voting being as follows:

#### For:

The Mayor (Grant Smith) and Councillors Lorna Johnson, Rachel Bowen, Brent Barrett, Susan Baty, Zulfiqar Butt, Renee Dingwall, Patrick Handcock ONZM, Leonie Hapeta, Billy Meehan, Karen Naylor, Bruno Petrenas, Aleisha Rutherford, Vaughan Dennison, and Danielle Harris.

### 16-20 Deputation - Horizons Regional Council

Chair Rachel Keedwell of Horizons Regional Council made a deputation regarding the upcoming launch of the new Bee Card, which would replace the Go Card for transport by bus. Horizons had been working with eight other regional Councils on this project (Northland, Bay of Plenty, Waikato, Hawkes Bay, Taranaki, Nelson, Otago and Invercargill) and the Bee Card could be used across these regions.

The Bee Card would offer features such as online registration and top-up, transfer of balances between multiple cards, automatic top-up, etc. It would

operate as a 'tag on, tag off' system, meaning quicker boarding for passengers. Horizons would be able to collect data to ensure the service was the best it could be.

Staged rollout would commence on 20 July; free bus services commenced over the lockdown period and extended until this date would end. Customers would still be able to use cash from 20 July, but the fare would be cheaper if using a Bee Card (a flat fare of \$1.20 per trip). Student and Super Gold Cards could still be used until these are integrated during a subsequent phase. The full fare structure would be reinstated at a later date.

Bee Cards were available now on buses, at libraries, the Palmerston North City Council office and iSite. During the transition period cards would be free; ultimately there would be a purchase cost.

Ms Keedwell asked if Elected Members were willing to be an 'ambassador' on 20 July, to show people how to use the new system. Training would be provided.

Moved Lorna Johnson, seconded Rachel Bowen.

#### The **COMMITTEE RESOLVED**

1. That the Community Development Committee receive the deputation for information.

Clause 16-20 above was carried 15 votes to 0, the voting being as follows:

**For:**

The Mayor (Grant Smith) and Councillors Lorna Johnson, Rachel Bowen, Brent Barrett, Susan Baty, Zulfiqar Butt, Renee Dingwall, Patrick Handcock ONZM, Leonie Hapeta, Billy Meehan, Karen Naylor, Bruno Petrenas, Aleisha Rutherford, Vaughan Dennison, and Danielle Harris.

## **17-20**

### **Deputation - Papaioea Housing Development**

Ms Judy Groom, a resident of the Papaioea Housing Development, made a deputation on behalf of a group of tenants who felt the complex would be greatly enhanced with the addition of a community centre. The complex housed a diverse group of people and it was felt somewhere to meet would encourage learning and socialising, as well as being beneficial for the mental wellbeing of residents, particularly those who are elderly.

During discussion it was suggested that the Papaioea Park cricket pavilion could, with minimal alterations, be used by residents as a place to socialise. Currently the pavilion was used only to store cricket equipment and occasionally for drinks after a cricket match. Elected Members requested Officers to explore this option and report back to the next Community Development Committee meeting.

Moved Lorna Johnson, seconded Rachel Bowen.

The **COMMITTEE RESOLVED**

1. That the Community Development Committee receive the deputation for information.

Clause 17.1 above was carried 15 votes to 0, the voting being as follows:

**For:**

The Mayor (Grant Smith) and Councillors Lorna Johnson, Rachel Bowen, Brent Barrett, Susan Baty, Zulfiqar Butt, Renee Dingwall, Patrick Handcock ONZM, Leonie Hapeta, Billy Meehan, Karen Naylor, Bruno Petrenas, Aleisha Rutherford, Vaughan Dennison, and Danielle Harris.

Moved Aleisha Rutherford, seconded Grant Smith.

2. That the Chief Executive investigate the Papaioea Park cricket pavilion for use by the Papaioea Place residents as a community space, and that this be reported back to the next Community Development Committee meeting.

Clause 17.2 above was carried 15 votes to 0, the voting being as follows:

**For:**

The Mayor (Grant Smith) and Councillors Lorna Johnson, Rachel Bowen, Brent Barrett, Susan Baty, Zulfiqar Butt, Renee Dingwall, Patrick Handcock ONZM, Leonie Hapeta, Billy Meehan, Karen Naylor, Bruno Petrenas, Aleisha Rutherford, Vaughan Dennison, and Danielle Harris.

**18-20**

**Confirmation of Minutes**

Moved Lorna Johnson, seconded Rachel Bowen.

The **COMMITTEE RESOLVED**

1. That the minutes of the extraordinary Community Development Committee meeting of 25 February 2020 Part I Public be confirmed as a true and correct record.

Clause 18-20 above was carried 13 votes to 0, with 2 abstentions, the voting being as follows:

**For:**

The Mayor (Grant Smith) and Councillors Lorna Johnson, Rachel Bowen, Brent Barrett, Susan Baty, Zulfiqar Butt, Renee Dingwall, Patrick Handcock ONZM, Billy Meehan, Karen Naylor, Bruno Petrenas, Aleisha Rutherford and Vaughan Dennison.

**Abstained:**

Councillor Leonie Hapeta and Danielle Harris.

**19-20**

**Effectiveness of Council's Youth Engagement**

Memorandum, presented by Hannah White, Democracy and Governance Manager.

Moved Lorna Johnson, seconded Rachel Bowen.

The **COMMITTEE RESOLVED**

1. That the report entitled "Effectiveness of Council's Youth Engagement" to the Community Development Committee of 1 July 2020 be received.

2. That Youth Council be invited to present to the Community Development Committee at least annually.

Clause 19-20 above was carried 15 votes to 0, the voting being as follows:

**For:**

The Mayor (Grant Smith) and Councillors Lorna Johnson, Rachel Bowen, Brent Barrett, Susan Baty, Zulfiqar Butt, Renee Dingwall, Patrick Handcock ONZM, Leonie Hapeta, Billy Meehan, Karen Naylor, Bruno Petrenas, Aleisha Rutherford, Vaughan Dennison, and Danielle Harris.

**20-20**

**Report on City-Wide Mobility Parking Signage Upgrade**

Memorandum, presented by Robert van Bentum, Manager - Transport and Infrastructure.

After discussion Elected Members requested that the cost of achieving mobility parking compliance after hours be investigated, to enable a greater level of participation in the community for those with disabilities. It was noted that this would be a big change to the level of service around parking enforcement.

The meeting adjourned at 10.45am

The meeting resumed at 11.02am

Moved Lorna Johnson, seconded Rachel Bowen.

**The COMMITTEE RESOLVED**

1. That the memorandum entitled "Report on City-Wide Mobility Parking Signage Upgrade" presented to the Community Development Committee on 1 July 2020, be received.

Moved Karen Naylor, seconded Leonie Hapeta.

2. That a report is presented to November 2020 Community Development Committee outlining the cost of achieving mobility parking compliance outside of current hours.

Clause 20-20 above was carried 15 votes to 0, the voting being as follows:

**For:**

The Mayor (Grant Smith) and Councillors Lorna Johnson, Rachel Bowen, Brent Barrett, Susan Baty, Zulfiqar Butt, Renee Dingwall, Patrick Handcock ONZM, Leonie Hapeta, Billy Meehan, Karen Naylor, Bruno Petrenas, Aleisha Rutherford, Vaughan Dennison, and Danielle Harris.

**21-20**

**Health & Wellbeing Portfolio Update (June)**

Memorandum, presented by Councillor Billy Meehan.

It was noted that Health and Wellbeing forms part of the Te Ara Whanau Ora process, which included outcomes that are applicable to the whole community. Elected Members therefore agreed that the name of the portfolio be changed to read "Whanau Ora, Health & Wellbeing Portfolio".

Moved Billy Meehan, seconded Leonie Hapeta.

The **COMMITTEE RESOLVED**

1. That the Health & Wellbeing Portfolio update report for June 2020 be received for information.

Moved Danielle Harris, seconded Billy Meehan.

2. That the name of the Health & Wellbeing Portfolio be changed to the "Whanau Ora, Health & Wellbeing Portfolio".

Clause 21-20 above was carried 15 votes to 0, the voting being as follows:

**For:**

The Mayor (Grant Smith) and Councillors Lorna Johnson, Rachel Bowen, Brent Barrett, Susan Baty, Zulfiqar Butt, Renee Dingwall, Patrick Handcock ONZM, Leonie Hapeta, Billy Meehan, Karen Naylor, Bruno Petrenas, Aleisha Rutherford, Vaughan Dennison, and Danielle Harris.

**22-20**

**Neighbourhoods, Villages & Rural Portfolio Update (June)**

Memorandum, presented by Councillor Bruno Petrenas.

Moved Bruno Petrenas, seconded Aleisha Rutherford.

The **COMMITTEE RESOLVED**

1. That the Neighbourhoods, Villages & Rural Portfolio update report for June 2020 be received for information.

Clause 22-20 above was carried 15 votes to 0, the voting being as follows:

**For:**

The Mayor (Grant Smith) and Councillors Lorna Johnson, Rachel Bowen, Brent Barrett, Susan Baty, Zulfiqar Butt, Renee Dingwall, Patrick Handcock ONZM, Leonie Hapeta, Billy Meehan, Karen Naylor, Bruno Petrenas, Aleisha Rutherford, Vaughan Dennison, and Danielle Harris.

**23-20**

**Safe City Portfolio Update (June)**

Memorandum, presented by Councillor Patrick Handcock.

Moved Patrick Handcock ONZM, seconded Bruno Petrenas.

The **COMMITTEE RESOLVED**

1. That the Safe City Portfolio update report for June 2020 be received for information.

Clause 23-20 above was carried 15 votes to 0, the voting being as follows:

**For:**

The Mayor (Grant Smith) and Councillors Lorna Johnson, Rachel Bowen, Brent Barrett, Susan Baty, Zulfiqar Butt, Renee Dingwall, Patrick Handcock ONZM, Leonie Hapeta, Billy Meehan, Karen Naylor, Bruno Petrenas, Aleisha Rutherford, Vaughan Dennison, and Danielle Harris.

**24-20**

**People and Community Portfolio Update (January - June 2020)**

Memorandum, presented by Councillor Lorna Johnson.

Moved Lorna Johnson, seconded Aleisha Rutherford.

The **COMMITTEE RESOLVED**

1. That the People and Community Portfolio update report for January – June 2020 be received for information.

Clause 24-20 above was carried 15 votes to 0, the voting being as follows:

**For:**

The Mayor (Grant Smith) and Councillors Lorna Johnson, Rachel Bowen, Brent Barrett, Susan Baty, Zulfiqar Butt, Renee Dingwall, Patrick Handcock ONZM, Leonie Hapeta, Billy Meehan, Karen Naylor, Bruno Petrenas, Aleisha Rutherford, Vaughan Dennison, and Danielle Harris.

**25-20 Committee Work Schedule**

Moved Lorna Johnson, seconded Rachel Bowen.

The **COMMITTEE RESOLVED**

1. That the Community Development Committee receive its Work Schedule dated July 2020.

Clause 25-20 above was carried 15 votes to 0, the voting being as follows:

**For:**

The Mayor (Grant Smith) and Councillors Lorna Johnson, Rachel Bowen, Brent Barrett, Susan Baty, Zulfiqar Butt, Renee Dingwall, Patrick Handcock ONZM, Leonie Hapeta, Billy Meehan, Karen Naylor, Bruno Petrenas, Aleisha Rutherford, Vaughan Dennison, and Danielle Harris.

The meeting finished at 11.24am

Confirmed 5 August 2020

**Chairperson**



## MEMORANDUM

**TO:** Community Development Committee

**MEETING DATE:** 5 August 2020

**TITLE:** COVID-19 Relief Fund Guidelines

**PRESENTED BY:** Joann Ransom, Community Development Manager.

**APPROVED BY:** Chris Dyhrberg, Chief Customer Officer

### RECOMMENDATION(S) TO COUNCIL

1. That the draft guidelines for the COVID-19 Relief Fund, as appended to the report entitled "COVID-19 Relief Fund Guidelines", presented to the Community Development Committee meeting on 5 August 2020, be approved.
2. That, as a result of implementing the fund, if there is a need to make any significant changes to the guidelines, this will be brought back to Council for approval.

### 1. ISSUE

- 1.1 In response to the COVID-19 pandemic, PNCC has established a one off \$200,000 relief fund to provide support to community organisations who have been impacted by COVID-19. This paper addresses the rationale behind the development of the guidelines for the COVID-19 Relief Fund.
- 1.2 There is uncertainty about how COVID-19 will affect our community over the coming months. Providing access to relief funding will help ensure that the community organisations who provide services that are vital to our city's wellbeing are able to continue to operate.

### 2. BACKGROUND

- 2.1 On 25 March 2020 New Zealand entered lockdown in response to the COVID-19 pandemic. People were required to stay home and were unable to leave their house to work unless they were an essential worker or provided an essential service. This impacted community organisations in several ways:
  - staff and volunteers could not attend work with the organisation due to lockdown or vulnerability e.g. age, health,

- an increase in demand for their services due to people who lost jobs or had their income reduced,
- an increase in costs in order to work remotely e.g. technology.

2.2 Some community organisations, such as food banks and essential housing organisations, were able to continue their work with the community. However, there were other community organisations who were unable to operate, hold key fundraising events or provide services during this period. This has had an impact on community groups and their income levels.

### 3. ASSUMPTIONS

3.1 This relief fund aims to support community organisations who have been impacted due to the COVID-19 pandemic in two key areas:

- An increase in demand for their services due to COVID-19;
- A loss or decrease in income due to COVID-19.

For clarity, this fund is for extraordinary circumstances due to COVID-19, not for usual, normal or ongoing operations and activity.

3.2 Community organisations are defined in Council's Community Funding Policy 2018 as:

*"Not for-profit, charitable and voluntary organisations operating in Palmerston North for Palmerston North residents. These groups are often referred to collectively as 'community organisations' because they are established with the primary purpose of providing a benefit to the wider community".*

For clarity, this means that groups from all sectors are eligible to apply including arts, sports, environmental and social.

3.3 The fund aims to be a rapid response fund, without undue hurdles, to provide financial relief to groups who need it. Decision makers will work alongside applicants to ensure quick decisions and timely payments.

3.4 The fund will make grants based on evidence that a) demonstrates the impact of COVID-19 on organisations and b) helps forecast future demand for services.

### 4. GUIDELINES - DISCUSSION OF OPTIONS

There were a number of options to consider when drafting the Relief Fund Guidelines. Below is a summary of how those choices were made for each of the key recommended guidelines.

#### 4.1 Funding rounds

Fixed funding rounds with open and close dates		Open all year until the fund is exhausted.
Pros	<ul style="list-style-type: none"> <li>Enables groups to be assessed all at one time in a comparative matter.</li> </ul>	<ul style="list-style-type: none"> <li>A reactive response.</li> <li>Ensures funding is available when it is needed.</li> </ul>
Cons	<ul style="list-style-type: none"> <li>Would mean groups who missed deadlines, or who subsequently experience a surge in demand may miss out on funding when they need it.</li> </ul>	<ul style="list-style-type: none"> <li>Some groups may miss out on funding due to a high application rate early in the year which exhausts the fund.</li> </ul>
<p><b>Recommendation:</b> Open until the funding is exhausted.</p> <p><b>Rationale:</b> This is a relief fund in response to a pandemic and we do not yet know how the year will play out and thus what demands will be made on groups, particularly in the social welfare space. The fund needs to be reactive to the changing needs of community groups.</p>		

#### 4.2 Number of Applications

One application		Multiple applications
Pros	<ul style="list-style-type: none"> <li>Time saving for groups who make one application only.</li> <li>Selection panel can assess all applications at once and make 1 payment to successful applicants.</li> </ul>	<ul style="list-style-type: none"> <li>Demand driven and responsive.</li> <li>Reduces the risk to the organisation if it experiences unforeseen demand for services.</li> <li>Encourages reasonable forecasting as the risk of getting it wrong is eliminated; can seek a variation as soon as it is noticed.</li> <li>Rapid decision-making process as applications can be assessed as they are received.</li> </ul>
Cons	<ul style="list-style-type: none"> <li>Decision making takes longer as it is done in a batch.</li> <li>Less risk of over or under forecasting future demand for a 3 month period.</li> </ul>	<ul style="list-style-type: none"> <li>Duplication of effort submitting and assessing applications.</li> </ul>

## PALMERSTON NORTH CITY COUNCIL

	<p><b>Recommendation:</b> Can submit multiple applications over the year.</p> <p><b>Rationale:</b> Reduces risk to organisations who will be penalised if they under-forecast demand for services or underestimate the impact of COVID-19 on their finances. Also reduces risk to Council of over-funding groups expecting worse outcomes than eventuate. Officers will work closely with the organisations and develop a simple process for subsequent applications which will essentially be looking at evidence.</p>	

## 4.3 Funding cap

A set funding cap e.g.: \$5,000		Uncapped funding
Pros	<ul style="list-style-type: none"> <li>Spreading it thinly over a wider pool would mean more groups could access the fund.</li> </ul>	<ul style="list-style-type: none"> <li>Larger organisations who experience heavier demand need more financial operating funds than smaller groups.</li> </ul>
Cons	<ul style="list-style-type: none"> <li>Penalises groups who experience heavy demand for their services.</li> </ul>	<ul style="list-style-type: none"> <li>Fewer community organisations may get relief if the fund exhausted early by larger organisations who experience heavier demand, earlier.</li> </ul>
<p><b>Recommendation:</b> Uncapped funding.</p> <p><b>Rationale:</b> This a relief fund. If the evidence shows increased demand for services, then the funding should follow where it is most needed.</p>		

## 4.4 Who makes the decision?

A 3 <sup>rd</sup> party organisation or external members on a funding panel		Internal allocation team of officers
Pros	<ul style="list-style-type: none"> <li>People working on the ground make the decisions.</li> </ul>	<ul style="list-style-type: none"> <li>Quick turnaround.</li> <li>Neutral.</li> <li>Decision process well established.</li> <li>Carry responsibility for unsuccessful applications.</li> </ul>

Cons	<ul style="list-style-type: none"> <li>• Training required.</li> <li>• Would cost an administration fee which would reduce the funds available.</li> <li>• Scheduling meetings can be difficult.</li> <li>• Slower response.</li> <li>• Manage conflicts of interest.</li> </ul>	
<p><b>Recommendation:</b> Internal allocation team of officers.</p> <p><b>Rationale:</b> Officers are experienced, administering a number of funds already through transparent processes, which are well established. They are also experienced at managing any fallout from groups whose applications may be rejected.</p>		

#### 4.5 Eligible expenses

As per the Community Funding Policy (2018)		Limited scope
Pros	<ul style="list-style-type: none"> <li>• Wide scope allows for unexpected but legitimate expenses to be eligible.</li> </ul>	<ul style="list-style-type: none"> <li>• There is a risk in too limited a scope as we don't know how things will develop and what 'surprising' expenses may be considered essential.</li> </ul>
Cons	<ul style="list-style-type: none"> <li>• Eligible expenses include BAU costs including wages, rent, artists fees etc.</li> <li>• Retrospective costs are excluded e.g. technology expenses adapting to COVID-19.</li> </ul>	<ul style="list-style-type: none"> <li>• Ruling wages and other staff expenses as ineligible may limit groups who experience unprecedented demand for their services and need to scale up to respond.</li> <li>• Groups who have lost income may not be able to make rent payments, or may have to dismiss staff because they are unable to pay them.</li> </ul>
<p><b>Recommendation:</b> Broadly the Community Funding Policy (2018) but decision makers will prioritise and make judgement calls.</p> <p><b>Rationale:</b> The objective of this fund is to provide emergency relief due to the impact of COVID-19 on the community sector. It is just too early to predict what that impact may be. Keeping the eligibility criteria quite broad allows room to be responsive. We have to trust the allocation panel to make sound and reasonable decisions based on the evidence that is produced and their knowledge of the groups contribution to community wellbeing.</p>		

#### 6. NEXT STEPS

If the proposed guidelines are approved by the Community Development Committee the following steps will occur:

## PALMERSTON NORTH CITY COUNCIL

- An online application form for a grant from the Relief Fund will be developed and advertised to Palmerston North community groups by the 20<sup>th</sup> August.
- An allocation panel will be established and briefed on the funding criteria for this fund.
- Applications will be considered within 5 business days, applicants notified, and payments processed in the next weekly payment run.
- Officers will provide ongoing support to groups applying for this fund.
- An accountability process will be established to ensure the grants were made appropriately.
- Report successful recipients of funding to Council and on the Council website.

**7. COMPLIANCE AND ADMINISTRATION**

Does the Committee have delegated authority to decide?	<b>No</b>
Are the decisions significant?	<b>No</b>
If they are significant do they affect land or a body of water?	<b>No</b>
Can this decision only be made through a 10 Year Plan?	<b>No</b>
Does this decision require consultation through the Special Consultative procedure?	<b>No</b>
Is there funding in the current Annual Plan for these actions?	<b>Yes</b>
Are the recommendations inconsistent with any of Council's policies or plans?	<b>Yes</b>
The recommendations contribute to Goal 3: A Connected and Safe Community	
The recommendations contribute to the outcomes of the Connected Community Strategy	
The recommendations contribute to the achievement of action/actions in the Community Support Plan. The action is: Broadens Council's community support focus to include building community, neighbourhood and organisational resilience, capacity and capability.	
Contribution to strategic direction and to social, economic, environmental and cultural well-being	The creation of a COVID-19 Relief Fund is an initiative included the COVID-19 Recovery Plan and was funded in the 2020/2021 Budget.

### **ATTACHMENTS**

1. Draft COVID-19 Relief Fund Criteria. [!\[\]\(9dc885fa0d6d341860a6e69645e59475\_img.jpg\) !\[\]\(5d2b0686f24c91a69ec6f054f466d184\_img.jpg\)](#)

## COVID-19 Relief Fund Guidelines

Through the COVID-19 Relief Fund, Palmerston North City Council recognises the need to support community groups who may have experienced an increase in demand or a loss of income due to COVID-19.

### 1. Funding Priorities

Through the COVID-19 Relief Fund Palmerston North City Council will assist community groups to survive the impact of the COVID-19 pandemic. To be considered for funding applicants must meet the following criteria:

- There has been an increase in demand for the applicant's services due to COVID-19; or
- A loss of anticipated income due to COVID-19.

### 2. Funding Opportunities

Grants are dependent on evidence that the group meets the fund criteria.

Groups may apply up to four times a year for funding. This may include applying for a variation if they find that the projected demand at the time of an earlier application has not matched actual demand.

### 3. Allocation Process

Our objective is for a rapid response and we aim to assess applications within 5 working days.

Potential applicants will complete an online application form. An allocation panel will assess the applications and may seek advice on aspects of the application from independent experts before determining the funding allocation.

Funding allocations will be reported to Council and on the Council website.

Grants will be awarded throughout the year, until all the funds have been allocated.

All decisions by the allocation committee are final.

### 4. Assessment Criteria

The allocation panel will look at:

- The viability of the organisation.
- Whether the organisation has had an increase in demand due to COVID-19, evidenced by:
  - Service records comparing levels of service or enquiries received to the same time last year,
  - Evidence of increased costs required as a result of a change in the way a service is delivered.
- Actual of loss of income due to COVID-19 that threatens the organisation's survival, evidenced by:
  - Financial records comparing the income received to the same time last year,
  - An explanation of any fundraisers or similar that could not go ahead due to COVID-19,
  - Correspondence from any funder advising that approved grants have been recalled due to COVID-19.



## 5. Eligibility requirements

The eligibility requirements listed below are as per the Community Funding Policy (2018) with the exception of retrospective, extra costs incurred by groups as a direct result of responding to the lockdown. This will be eligible.

### a) Eligible Applicants

The primary beneficiaries of the COVID-19 Relief Fund grants will be not-for-profit, charitable and voluntary organisations. These groups are often referred to collectively as 'community organisations' because they are established with the primary purpose of providing a benefit to the wider community.

### b) Ineligible Applicants

Community grants as covered by this policy are not available to:

- Political parties
- Commercial entities
- Internal applicants (for example to fund projects, programmes or facilities run by Council or its employees)
- Palmerston North City Council, Council Controlled Organisations (CCOs).
- Other local authorities, government agencies or public sector entities.
- Individuals

### c) Eligible Expenses for Grant Funding

The following expenses are eligible:

- Salaries, wages, professional fees (e.g. artists' fees) and volunteer expenses.
- Administration and office expenses.
- Accommodation expenses including rent, leases, maintenance, insurances and utilities.
- Costs integral to service delivery (e.g. vehicle expenses for a mobile social service).
- Marketing, advertising, website and printing costs; and
- Programme expenses such as materials, equipment hire, venue hire and tutor's fees.

### d) Ineligible Expenses for Grant Funding

The following expenses are not eligible:

- Debt servicing or repayment.
- Legal expenses.
- Activities that promote religious ministry or political purposes and causes.
- Medical expenses.

In a competitive funding environment, the following may be a lower priority for funding:

- Retrospective costs (where the activity has already taken place), unless this is necessary as a condition of the grant **or Council is satisfied there are other mitigating circumstances** [refer to note under 5. "retrospective, extra costs incurred by groups as a direct result of responding to the lockdown will be eligible.);
- Fundraising events or activities, especially where the beneficiary is a third party (e.g. charity events, sponsored walks), unless we determine the event has a wider community benefit beyond its primary purpose as a fundraiser.

**6. Conflicts of Interest**

Organisations affiliated in some way to elected members or employees of Council can still be considered for grant funding. However, organisations in this category should note any possible conflict of interest (or perception of a conflict of interest) in their application to ensure any necessary steps can be taken to mitigate this.

Elected members or council employees involved in funding decisions are also required to note any possible conflict of interest (or perception of a conflict of interest) and will not be involved in any assessment or decision-making related to these applications.

## MEMORANDUM

**TO:** Community Development Committee

**MEETING DATE:** 5 August 2020

**TITLE:** 2019/2020 Summary of Celebrating Communities and Local Initiatives Fund

**PRESENTED BY:** Joann Ransom, Community Development Manager

**APPROVED BY:** Chris Dyhrberg, Chief Customer Officer

### RECOMMENDATION(S) TO COMMUNITY DEVELOPMENT COMMITTEE

1. That the memorandum entitled “2019/2020 Summary of Celebrating Communities Fund and the Local Initiatives Fund” presented to the Community Development Committee on 5 August 2020, be received.

### 1. ISSUE

The purpose of this memorandum is to provide an update on how Council funding was distributed for the Celebrating Communities Fund and the Local Initiatives Fund for the 2019/2020 financial year.

### 2. BACKGROUND

Each year the Celebrating Communities Fund (CCF) and the Local Initiatives Fund (LIF) grants are delivered in accordance to the Community Funding Policy (2018). The budgets for the 2019/2020 financial year were:

Grant	Amount
Local Initiatives Fund	\$28,909.00
Celebrating Communities Fund	\$102,305.00

### 3. ALLOCATION

#### 3.1 Celebrating Communities Fund:

## PALMERSTON NORTH CITY COUNCIL

The purpose of CCF is to support events in Palmerston North that help communities to celebrate their strengths and share them with the communities. Communities can be geographic communities or communities of interest.

26 successful applicants received grants and to date we have received 18 acquittal reports. 20,065 people attended those 18 events at an average cost per head of \$3.17.

Successful Applicant	Event	Amount
Manawatu Multicultural Council	Eid Multicultural Festival fun day	\$2,000.00
Rotaract Club of Massey University	Diwali Night - Festival of Lights	\$2,250.00
Palmerston North Chinese School	Chinese Mid-Autumn Festival and Chinese Language Week 2019	\$5,900.00
LUCK Trust	Whānau Fun Day 2019	\$4,590.00
Manawatu Horowhenua Māori Teachers Inc.	National Ngā Manu Kōrero Speech Competition 2019	\$10,000.00
Age Concern Palmerston North and Districts	International Day of Older Person, Afternoon Tea Dance	\$1,300.00
Manawatu Freshwater Anglers Club Incorporated	Manawatu Family Fishing day	\$1,400.00
Bhutanese Society of New Zealand Inc.	Grand International Creative Ceremony	\$6,219.75
The Samoan Methodist Churches of Samoa (Palmerston North Parish) in New Zealand	Samoan Methodist 50th Weekend History celebration event	\$2,500.00
Awesome Awapuni Group	Awesome Awapuni	\$1,862.00
Roslyn Education and Community Health Group (REACH)	REACH Wacky Water Day	\$5,000.00
Te Aroha Noa Community Services	Christmas in Farnham Park	\$6,000.00
City Mission Palmerston North	Christmas in the City	\$2,500.00
Manawatu Chinese Association	Lunar New Year Festival	\$1,500.00
NZ Karen Association – PN	Karen New Year Celebration	\$2,000.00
Alliance Francaise Palmerston North Incorporated	Fête de la Musique 2020	\$4,500.00
Community Connections	Teddy Bears Picnic	\$990.00
Manawatu Multicultural Council	Celebration of Ethnic Songs & Praises	\$1,930.00
Manawatu Tuvalu Community	Tuvalu Independence Day Celebrations	\$4,500.00
Ngā Hiere a Highbury	Ngā Hiere o Highbury Photo Voice Exhibition	\$2,534.90

Alzheimers Society Manawatu Inc.	Memory Walk Palmerston North	\$2,235.50
Niue Palmerston North Community	Language week and National independence celebrations	\$2,800.00
Palmerston North Fijian Community	Fiji Independence Day Celebrations	\$3,500.00
Manawatu Multicultural Council	South African Cultural Day	\$2,000.00
Manawatu Multicultural Council	Eid Multicultural Festival Fun Day	\$2,000.00
Manawatu Rangitikei Rural Support Trust	The Pride in our Land 2020 Muster	\$5,250.00
Total:		\$87,262.15

### 3.2 Local Initiatives Fund:

The purpose of this fund is to provide an opportunity for new initiatives to develop, after which time the initiative should be in a position where the organisation should seek long term funding elsewhere. The initiative must be unique, innovative and address an issue or community of concern in Palmerston North.

We received 11 applications to this grant, but none were successful and thus no grants were made from this fund in 2019/2020.

## 4. COMPLIANCE AND ADMINISTRATION

Does the Committee have delegated authority to decide?	<b>Yes</b>
Are the decisions significant?	<b>No</b>
If they are significant do they affect land or a body of water?	<b>No</b>
Can this decision only be made through a 10 Year Plan?	<b>No</b>
Does this decision require consultation through the Special Consultative procedure?	<b>No</b>
Is there funding in the current Annual Plan for these actions?	<b>No</b>
Are the recommendations inconsistent with any of Council's policies or plans?	<b>No</b>
The recommendations contribute to Goal 3: A Connected and Safe Community	
The recommendations contribute to the outcomes of the Connected Community Strategy	
The recommendations contribute to the achievement of action/actions in the Community Support Plan	
The action is: To implement the Community Funding Policy.	

**ATTACHMENTS**

Nil

## MEMORANDUM

**TO:** Community Development Committee

**MEETING DATE:** 5 August 2020

**TITLE:** Community Development Small Grants - Allocations for 2020/2021

**PRESENTED BY:** Joann Ransom, Community Development Manager

**APPROVED BY:** Chris Dyhrberg, Chief Customer Officer

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### RECOMMENDATION(S) TO COMMUNITY DEVELOPMENT COMMITTEE

1. That the report entitled “Community Development Small Grants – Allocations for 2020/21” presented to the Community Development Committee on 5 August 2020, be received for information.
2. That the Community Services Council be acknowledged for their assistance in administering this fund.

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### 1. ISSUE

- 1.1 The Council contracts the Palmerston North Community Services Council (CSC) to allocate and distribute the PNCC Community Development Small Grants Fund. This fund is budgeted within the City Council’s 10 Year Plan and is CPI adjusted annually.
- 1.2 Council’s Community Funding Policy 2018 requires that the funding allocations be reported to Council and published on Council’s website. Community organisations have been paid their grants.

### 2. BACKGROUND

- 2.1 The purpose of this fund is to provide funding for essential administration expenses to enable local not-for-profit community groups to operate.
- 2.2 Organisations seeking funding must contribute to at least one of the goals and priorities of the following Council strategies:
  - Creative and Liveable Strategy (to achieve Goal 2: A creative and exciting city);
  - Connected Community Strategy (to achieve Goal 3: To be a connected and safe community);

- Eco City Strategy (supporting Goal 4: An eco city).

### 3. ADDRESSING ISSUES RAISED DURING THE 2018/2019 ROUND.

3.1 In September 2019 the allocations for 2018/2019 were reported to Council and Elected Members raised concerns that needed to be addressed in 2019/2020. These were:

- Proactively seeking applications from the environment and art sectors as well as the social sector;
- Simplifying the process to make it less onerous on both applicants and assessors.

3.2 Officers worked with CSC to ensure applications were sought from a wider pool than previously. Actions taken were:

- Redrafting the Contract to ensure both parties had a common understanding of Council's expectations as outlined in the Community Funding Policy 2018 and with regard to delivering the contract;
- Rewriting the information sheet that accompanied the application form to align with Council's funding policy;
- Promotion of the Small Grants Fund by Square Edge Community Arts and Environment Network Manawatu to their member organisations; and
- Officers sought to include representatives from the art and environment sectors as well as the social sector on a smaller funding panel. This was not able to be achieved for 2019/2020 but will be so in future.

3.3 Officers also worked with CSC to simplify the decision process. Actions taken were:

- Redesigning the process;
- Redesigning the application form; and
- Moving to Council's online grant management tool 'SmartyGrants', which removes the need to carry out interviews and streamlines administration.

### 4. APPLICATIONS

4.1 The CSC funding panel met in June 2020 to assess the applications and allocations were made once the 2020/2021 budget had been set. The Working Party has complied with the criteria set within the PNCC Community Funding Policy 2018 and proper processes have been followed.

4.2 \$306,000 was requested by the 69 organisations making contributions to 1 or more Council strategies as follows:

- |                                  |                 |
|----------------------------------|-----------------|
| • Creative and Liveable Strategy | 13 applications |
| • Connected Community Strategy   | 61 applications |
| • Eco City Strategy              | 5 applications  |



## 5. BUDGET

- 5.1 Budget 2020/2021 provided \$183,293 for the Small Grants Fund.
- 5.2 In accordance with the agreement with the Community Services Council, a fee of \$10,000 of the grant budget was retained by them to undertake the allocation and distribution process.
- 5.3 \$5,000 is set aside annually as an Emergency Grant Fund for allocation during the financial year. This fund, which sits in an account controlled by the Community Services Council, was not drawn upon in 2018/2019 and thus does not need topping up in 2020/2021.
- 5.4 Funds available for distribution thus totalled \$173,293.

## 6. ALLOCATIONS

- 6.1 Assessors distributed the full \$173,293 through the following allocations:

Organisation	Grant
Agape Fellowship Charitable Trust	\$3,053.00
Age Concern New Zealand Palmerston North and Districts Branch Inc.	\$3,004.00
Alliance Francaise Palmerston North Incorporated	\$3,053.00
Alzheimers Society Manawatu Inc.	\$3,053.00
Big Brothers Big Sisters Manawatu	\$3,053.00
Birthright Central	\$1,404.00
Brain Injury Association Central Districts Incorporated	\$3,053.00
Citizens Advice Bureau Palmerston North	\$3,053.00
Community Birth Services Charitable Trust	\$1,343.00
Creative Sounds Society Inc.	\$2,626.00
Deaf Aotearoa - Manawatu	\$3,053.00
Digits Charitable Trust	\$2,955.00
Environment Network Manawatu	\$3,053.00
Financial Freedom Trust	\$3,053.00
Green Hub Trust (Studio on the Square)	\$3,053.00
Housing Advice Centre Palmerston North	\$2,595.00
Kind Hearts Trust	\$2,840.00
Legacy Centre	\$2,748.00
LUCK Trust	\$3,053.00
Manawatu Chinese Community Trust	\$3,053.00
Manawatu Community Housing Trust	\$2,443.00
Manawatu Hindu Society	\$2,626.00

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Manawatu Home Budgeting Service	\$3,053.00
Manawatu Horowhenua and Tararua Diabetes Trust	\$3,053.00
Manawatu Lesbian & Gay Rights Assn - MaLGRA	\$2,943.00
Manawatu Multiple Sclerosis Society	\$2,655.00
Manawatu People's Radio	\$3,053.00
Manawatu Reuniting Refugee Families Trust	\$2,055.00
Manawatu Tenants' Union	\$2,137.00
Manawatu Toy Library, Inc.	\$3,053.00
MANLINE- Manawatu Alternatives to Violence Inc	\$2,443.00
MentorED Charitable Trust	\$3,010.00
Manawatu Multicultural Council	\$3,053.00
New Zealand Council of Victim Support Groups Inc - Palmerston North	\$1,832.00
Palmerston North Cadet Unit	\$1,990.00
Palmerston North City Neighbourhood Support Groups Inc	\$2,954.00
Palmerston North La Leche League	\$2,551.00
Palmerston North Methodist Social Services Trust	\$3,053.00
Palmerston North Papua New Guinea Community Trust	\$3,053.00
PALMERSTON NORTH PARENTS CENTRE	\$2,709.00
Palmerston North Street Van incorporated	\$3,053.00
Papaoea Pasifika Community Trust (PPCT)	\$3,018.00
Parentline Manawatu	\$3,053.00
Presbyterian New Church	\$1,901.00
Prisoners Aid and Rehabilitation Society of the Manawatu District Incorporated	\$1,832.00
Rangiwahia environmental arts centre	\$2,870.00
Snails Artist Run Space	\$1,977.00
SnapBACK Gym	\$3,053.00
Square Edge Community Arts	\$2,931.00
Strive Rehabilitation Manawatu	\$2,654.00
Supporting Families in Mental Illness Manawatu Incorporated	\$3,053.00
Te Aroha Noa Community Services	\$3,053.00
Te Hā o Hine-ahu-one Palmerston North Women's Health Collective	\$3,053.00
Te Manawa Family Services	\$1,787.00
Te Roopu Whakaruruhau O Nga Wahine Maori Inc	\$3,053.00
The Free Store Charitable Trust (T/A Just Zilch)	\$3,053.00
The Manawatu Just Released Accommodation Trust	\$3,053.00
The Manawatu Pregnancy Centre Trust	\$3,053.00
The Parkinson's New Zealand Charitable Trust	\$904.00
The Royal New Zealand Foundation for the Blind	\$3,053.00
The society for the resilience and engagement of the community of Ashhurst and Pohangina	\$1,417.00
Volunteer Central	\$3,053.00

Work Manawatu	\$2,443.00
Youthline CNI	\$3,053.00
	<b>\$173,293</b>

## 7. NEXT STEPS

The allocations will be listed on Council's website.

## 8. COMPLIANCE AND ADMINISTRATION

Does the Committee have delegated authority to decide?	<b>Yes</b>
Are the decisions significant?	<b>No</b>
If they are significant do they affect land or a body of water?	<b>No</b>
Can this decision only be made through a 10 Year Plan?	<b>No</b>
Does this decision require consultation through the Special Consultative procedure?	<b>No</b>
Is there funding in the current Annual Plan for these actions?	<b>Yes</b>
Are the recommendations inconsistent with any of Council's policies or plans?	<b>Yes</b>
The recommendations contribute to Goal 3: A Connected and Safe Community	
The recommendations contribute to the outcomes of the Connected Community Strategy	
The recommendations contribute to the achievement of action/actions in the Community Support Plan	
The action is: Implement the Community Funding Policy.	
Contribution to strategic direction and to social, economic, environmental and cultural well-being	Palmerston North depends on having a strong community and voluntary sector. One of the ways it does this is through the provision of operational funding to the organisations that contribute to Council's strategic priorities.

## ATTACHMENTS

Nil



## MEMORANDUM

**TO:** Community Development Committee

**MEETING DATE:** 5 August 2020

**TITLE:** Safety Advisory Board Strategic Plan

**PRESENTED BY:** Patrick Handcock, Chair of the Safety Advisory Board and Joann Ransom, Community Development Manager.

**APPROVED BY:** Chris Dyhrberg, Chief Customer Officer

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### RECOMMENDATION(S) TO COMMUNITY DEVELOPMENT COMMITTEE

1. That the report entitled "Safety Advisory Board Strategic Plan" presented to the Community Development Committee on 5 August 2020, be received for information.
2. That the Safety Advisory Board be commended for the work completed on the new plan.

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### 1. ISSUE

The Safety Advisory Board (SAB) has entered a new five-year phase following reaccreditation of Palmerston North as a Safe City in 2019. The first step in that process has been the development of a new Strategic Plan, including a review of the Board's purpose. As a result, the scope of the Board's focus is significantly wider than it was previously and better aligns with the work of the various agencies represented on the SAB, who want to work together to make a positive difference. This report provides a high-level overview of the work carried out to date.

### 2. CONTEXT

- 2.1 Palmerston North is an Accredited Safe Community through the Safe Communities Foundation NZ (SCFNZ) which is a Safe Community Support and Accrediting Centre of the Pan Pacific Safe Community Network (PPSCN).
- 2.2 SCFNZ adopts both public health and community development principles in its approach to build social capital and increasing wellbeing through community safety promotion actively supporting the Government wellbeing agenda, alongside the Sustainable Development Goals.

- 2.3 Safe Communities is aligned to central government objectives including: Department of Internal Affairs' Purpose; ACC Strategic intent; Ministry of Health: Health Promotion Agency focus on reducing drug and alcohol-related harm; Ministry of Social Development outcomes; NZ Police Prevention First Strategy; NZTA 'Safer Journeys 2020'.
- 2.4 The Local Government Act 2002 recognises that Territorial Authorities have an important role to play as they are the most effective deliverers of local services. The Local Government Amendment Act 2018 includes "promote the social, economic, environmental, and cultural wellbeing of communities in the present and for the future". The Safe Communities model is well placed to address the needs of local government to address the four wellbeings – in particular the social and cultural aspects.
- 2.5 Safe Cities are city wide networks that support wellbeing, placemaking, resilience and injury/violence prevention initiatives. This model is recognized worldwide, including by the World Health Organisation, as an effective and acceptable intervention that improves community wellbeing and reduces the burden of injury experienced by individuals, families, whānau and communities.
- 2.6 Safe Communities concepts embody the values and philosophies of whanaungatanga (relationships) manaakitanga (respect, care and support) and tino rangatiratanga (self-determination and autonomy). The Manifesto for Safe Communities states that "All human beings have an equal right to health and safety".

### 3. SAFETY ADVISORY BOARD

- 3.1 The SAB is a governance group for Palmerston North's safe city initiatives. It is coordinated by a Safe City Coordinator, who is a Council employee, and is chaired by Cr Patrick Handcock.
- 3.2 The SAB usually meets every 6-8 weeks and continued to meet remotely during the COVID-19 pandemic. Membership is comprised of representatives from the following organisations:

Rangitaane	Police	New Zealand Defence Force
Mid Central Health	Massey University	Kainga Ora
ACC	Department of Corrections	Fire and Emergency
MSD	Ministry of Education	Oranga Tamariki

- 3.3 Palmerston North was accredited as a Safe City in 2014 and reaccredited in 2019; the SAB leads the accreditation process. In developing a new Strategic Plan for the next five-year period, the SAB adopted a Results Based Accountability (RBA)

methodology. This is an outcomes framework that is widely used by NZ government agencies and NGO providers, so was familiar to many Board members.

#### 4. SIGNIFICANT CHANGE IN SCOPE

- 4.1 Sharon Shea from SheaPita facilitated a workshop in the week before lockdown to guide the SAB through the RBA process. During the workshop it was agreed that the Board needed to focus more on root causes if it hoped to effect change and that the priority areas needed to be more directly relevant to the work focus of the various agencies represented on the Board. The new broader vision is much more inclusive and pertinent, particularly as agencies navigate through a COVID-19 future.
- 4.2 Table 1 summarises the key elements of the new strategy and the high-level changes from the previous plan.

Element	Previous Plan 2014-2019	New Strategy 2019-2024
<b>Outcome</b> <i>(PNCC Connected Community Strategy – Priority 4)</i>	Palmerston North is a City where people feel safe and are safe.	
	<b>2014-2019 Vision</b>  A Safe Community for all people within Palmerston North.	<b>2019-2024 Outcome</b>  Palmerston North is a Safe Community.
<b>Experience Statement</b> <i>(what does success look like)</i>		People will feel safe and secure, feel connected and valued as a member of the community. People in our communities will live in healthy homes, have positive relationships, and will feel empowered, seek out educational opportunities and work in jobs of their choice. They will have a sense of place, belonging and hope. In times of emergency or stress our communities will be cohesive and resilient. Residents will know how to keep themselves safe and will collectively act in support of the wider community.
<b>Priority areas</b> <i>(Workstreams)</i>	<ul style="list-style-type: none"> <li>• Collaboration</li> <li>• Crime Prevention</li> <li>• Road Safety</li> <li>• Alcohol and other drug harm</li> <li>• Injury Prevention</li> <li>• Resilience</li> </ul>	<ul style="list-style-type: none"> <li>• Crime</li> <li>• Connectedness and resilience</li> <li>• Youth</li> <li>• Housing</li> <li>• Healthy Lifestyles</li> <li>• Education</li> <li>• Employment and income</li> </ul>

Table 1: Focus areas and population indicators to measure impact.

- 4.3 Table 2 show the key population level indicators that have been selected for each focus area to monitor data trends over the coming years in order to measure the impact of the City's collective activity. This will be foundational for the reaccreditation application.
- 4.4 The SAB will initially focus on the first four areas while the new framework is bedded in. Additionally, Mid Central Health have produced a comprehensive 'Palmerston North Health and Wellbeing Plan' (HWP), which has a large crossover with the SAB focus areas. This will comprise the effort under the 5<sup>th</sup> area: Healthy Lifestyles.

Focus Area	Indicators
Crime	<ul style="list-style-type: none"> <li>Family harm - total # of family harm investigations.</li> <li>Reported crime: 'unlawful entry with intent' and 'theft &amp; related offences'.</li> </ul>
Connectedness and resilience	<ul style="list-style-type: none"> <li>Neighbourhood connectedness - Proportion of people feeling safe when at home by themselves at night.</li> <li>Safety and loneliness - proportion of people feeling very safe or safe.</li> </ul>
Youth	<ul style="list-style-type: none"> <li>Youth Suicide - youth suicide rate per 100,000</li> <li>% School leavers with at least NCEA Level 2 qualification or equivalent.</li> <li>Youth Justice - Youth offending rates per 10,000 by Police District (aged 10-13).</li> </ul>
Housing	<ul style="list-style-type: none"> <li>Public housing waiting list</li> </ul>
Healthy Lifestyles	<ul style="list-style-type: none"> <li>Psychological distress - Prevalence of Psychological distress (high or very high probability of anxiety or depressive disorder). (aged 15+)</li> <li>Unmet need for primary care - Proportion of adults (15+) who experienced 1 or more of unmet needs for primary health care in the past 12months.</li> </ul>

Table 2: Focus areas and population indicators to measure impact.

- 4.5 RBA is about the collective impact of agencies and NGOs working across the City – the Safe City Ecosystem (attached). While each of the focus areas has a lead agency it takes the work of many 'partners' working together to have an impact.
- 4.6 The role of the SAB is to provide high-level oversight across the Safe City Ecosystem, identifying gaps and opportunities to work together, monitoring progress and identifying interventions.
- 4.7 Work has begun transitioning the activity of community organisations working in the Safe City Ecosystem onto the RBA framework as well. Groups funded through Strategic Priority Grants were moved to the RBA framework in 2019. Other groups will be invited to contribute to the collective reporting during 2020. This means that the collective impact of City-wide action by agencies and NGOs can be measured and the story told when we come to the next reaccreditation in 2024.



## 5. NEXT STEPS

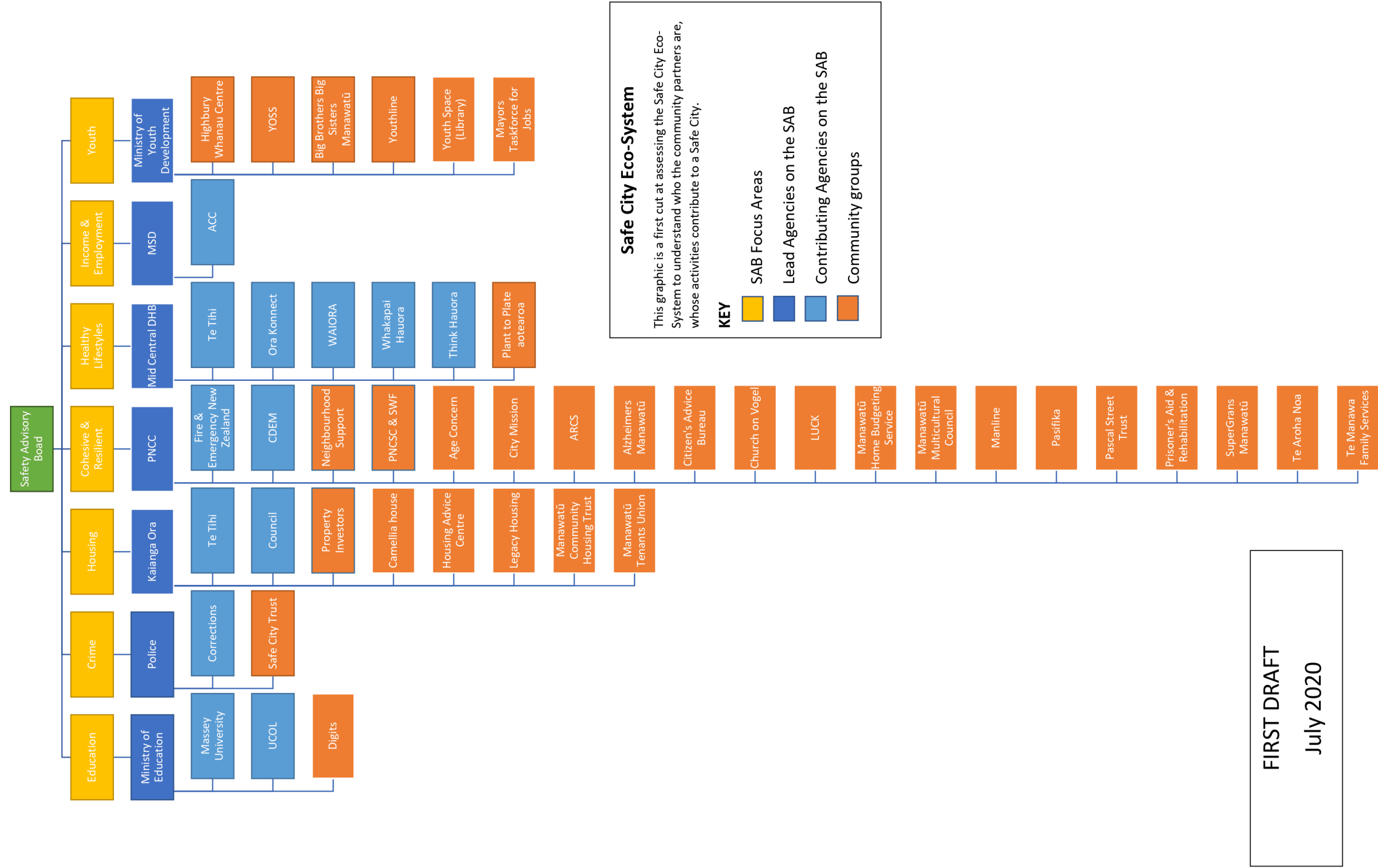
- 5.1 The Board will continue its work on understanding the situation through analysing the trends for the key indicators within each workstream. It will have ‘turning the curve’ conversations to identify what might work to effect positive change and who needs to be involved, and it will monitor the data to track progress.
- 5.2 Once the Strategic Plan has been completed it will be brought back to Council for information.

## 6. COMPLIANCE AND ADMINISTRATION

Does the Committee have delegated authority to decide?	Yes
Are the decisions significant?	No
If they are significant do they affect land or a body of water?	No
Can this decision only be made through a 10 Year Plan?	No
Does this decision require consultation through the Special Consultative procedure?	No
Is there funding in the current Annual Plan for these actions?	Yes
Are the recommendations inconsistent with any of Council’s policies or plans?	Yes
The recommendations contribute to Goal 3: A Connected and Safe Community	
The recommendations contribute to the outcomes of the Connected Community Strategy	
The recommendations contribute to the achievement of action/actions in the Safe Community Plan	
The actions are:	
<ul style="list-style-type: none"> <li>• Coordinate and facilitate the Safety Advisory Board,</li> <li>• Engage relevant organisations in Safe Community re-accreditation process,</li> <li>• Work with SAB work streams to identify where there are gaps in support to community organisations that focus on safety initiatives.</li> </ul>	
Contribution to strategic direction and to social, economic, environmental and cultural well-being	The Safety Advisory Board is a governance board with representatives drawn from government agencies working across the City. The board works collaboratively to have a positive collective impact on the City’s safety and this contributes directly to Councils strategic framework.

**ATTACHMENTS**

1. Palmerston North Safe City Eco-System [↓](#) 





## REPORT

**TO:** Community Development Committee

**MEETING DATE:** 5 August 2020

**TITLE:** Feasibility of introducing a companion card for those with permanent disabilities

**PRESENTED BY:** Joann Ransom, Community Development Manager

**APPROVED BY:** Chris Dyhrberg, Chief Customer Officer

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### RECOMMENDATION(S) TO COUNCIL

1. That the report entitled "Feasibility of introducing a companion card for those with permanent disabilities" presented to the Community Development Committee on 5 August 2020, be received.
2. That Council approve undertaking a partnership with Mana Whaikaha to implement a local Companion Card Scheme (Option 1).
3. That Council approve a \$10,000 unbudgeted expense to implement such a scheme.
4. That the scheme be reviewed after 12 months as to its effectiveness and report back to Council.
5. That, at the appropriate time, the Chief Executive write to the cultural CCOs and Council funded ticketed activity providers encouraging them to support the companion card scheme.
6. That the Chief Executive write to the Ministry of Culture and Heritage advocating for the introduction of a nationwide Companion Card scheme and offering the Council and Mana Whaikaha pilot scheme for their evidential base.

### SUMMARY OF OPTIONS ANALYSIS FOR

<b>Opportunity</b>	Introducing a companion card for those with permanent disabilities.
<b>OPTION 1:</b>	<b>Partner with Mana Whaikaha to implement a companion card scheme.</b>
Community Views	This is the preferred option of the Disability Reference Group and Mana Whaikaha.
Benefits	Mana Whaikaha already have a client database to manage eligibility and distribution of cards.
Risks	Inability to obtain buy-in from ticketed activity providers and / or their inability to participate due to venue facility constraints.
Financial	To be negotiated through a contract; Council would need to contribute communications and marketing expertise from within existing FTE and \$10,000 to reimburse ticketed activity providers.
<b>OPTION 2:</b>	<b>Council implements a local companion card scheme.</b>
Community Views	It is unlikely that many would object to the principle of introducing a companion card scheme to the City but it is likely that the community would object to incurring significant additional, unbudgeted cost in 20/21.
Benefits	Would demonstrate Council's commitment to developing an inclusive City through improving the accessibility of persons with disabilities to participate in community life including events and performances.
Risks	Managing the eligibility will be essential to maintain confidence of activity providers. Inability to obtain buy-in from ticketed activity providers and / or their inability to participate due to venue facility constraints.
Financial	\$70,000 in year 1. Not funded in 2020/2021 but could be considered in the development of the 10 year plan as a new programme and level of service.
<b>OPTION 3:</b>	<b>Wait for a nationwide companion card scheme to be implemented.</b>
Community Views	The disabled community nationwide has been advocating for a nationwide companion card scheme since 2014. There is no sign that such a scheme is imminent.
Benefits	Persons with disabilities would be able to access ticketed activities in other cities.
Risks	It is unlikely that Government will get such a scheme in place within the next 2 years given it is not part of the current Disability Action Plan
Financial	Nil to PNCC.

## **RATIONALE FOR THE RECOMMENDATIONS**

### **1. BACKGROUND AND PREVIOUS COUNCIL DECISIONS**

- 1.1 Council's vision for Palmerston North is for every resident to be able to enjoy the benefits of living in a small city. Goal 3 is for a connected and safe community. Priority 1 of the Connected and Safe Strategy is to: "develop, provide and advocate for services and facilities that create a connected, welcoming and inclusive community.
- 1.2 The Disability Reference Group (DRG) was established by Council in 2018 as a forum for the needs of people with disabilities to be heard and considered in the context of Council's roles and priorities.
- 1.3 On the 2nd September 2019, the DRG presented to Community Development Committee of Council on their first year of activity and their aspirations looking forward. They also requested Council to champion the concept of a companion card scheme that would enable those with a permanent disability and a lifelong need for 'attendant care support' to participate in community activities and attend events.
- 1.4 At that meeting Council resolved:  
  
*"That the Chief Executive be instructed to report back on the feasibility of introducing a Companion Card for those with permanent disabilities".*
- 1.5 This report explores the feasibility of introducing a companion card scheme to the City.

### **2. HOW A COMPANION CARD SCHEME WORKS**

- 2.1 The National Companion Card Scheme operates in Australia and was developed:
  - To promote the existing right of people with a disability to fair ticketing;
  - As a tool to assist industry to comply with anti-discrimination legislation;
  - As a simple and consistent method of identifying people who legitimately require attendant care support to participate at venues and activities.
- 2.2 The Companion Card is issued to people with a significant or profound permanent disability who can demonstrate that they are unable to access most community activities and venues without high-level attendant care support.
- 2.3 The card contains a photograph of the cardholder and can be presented when booking or purchasing a ticket at events and venues or accessing public transport. The participating organisations issue the cardholder with a second ticket for their

companion at no charge. Not all events and venues are part of the Companion Card program.

### 3. A NZ COMPANION CARD

- 3.1 Arts Access Aotearoa has been advocating to the Ministry for Social Development (MSD) for a companion card scheme for NZ since 2014. The Ministry of Culture and Heritage (MCH), alongside the MSD and the Office of Disability Issues (ODI), undertook the initial policy development for a companion card scheme in New Zealand. In 2015 ODI released a Disability Action Plan that included:

Shared Result:	Promote access in the community.
Priority 12:	Promote opportunities for disabled people to participate in cultural life, recreation, leisure and sport
Action:	Investigate the feasibility of introducing a companion card programme in New Zealand to reduce the cost barrier for disabled people who require a companion to attend paid-entry activities.

- 3.2 The work investigating the feasibility of introducing a companion card scheme was completed in October 2016 with a briefing from MCH to the Minister for Arts, Culture and Heritage and other relevant government Ministers.
- 3.3 The briefing reported that while setting up a companion card was feasible, there was a limited evidential base to understand the nature and size of the need. Several surveys had attempted to gather data but the achieved response rates of 5% - 14%, which was not considered high enough. The cost of setting up the scheme was estimated at around \$1m and annual administrations costs of \$100k+ despite being able to access existing government assessment systems.
- 3.4 Included in the risk analysis was the impact of activity providers not joining the scheme. It would require a legislative change to force participation and there was no confidence that providers would join the scheme voluntarily. The risk was assessed as 'Medium' for likelihood and 'High' for impact. Mitigation would be by way of a communications strategy that promoted two messages:
- The reputational benefits of attracting a section of the disabled community,
  - Emphasising requirements under the Human Rights Act 1993 which prohibits discrimination against disabled persons.
- 3.5 Research found that:



- 82% of activity providers believe there is a need for a nationally consistent companion card scheme;
- 91% of activity providers would like to see such a scheme established,
- 72% would support the card with the main barrier being the lack of available facilities for the disabled.

#### 4. ALTERNATIVE APPROACHES

- 4.1 ODI leads work to encourage organisations and event promoters to make their activities and events more easily accessible for people with disabilities.
- 4.2 Arts Access Aotearoa are also working in this space to increase access to the arts for people who experience barriers to participation as artists, performers, audience members, and gallery and museum visitors. They do this largely through an education programme and providing a national advisory and advocacy service including resources and research.
- 4.3 Issues have been raised in forums that refer to price being a barrier for disabled people as a general fact. This is a legitimate concern as most disabled people live on low incomes. This issue has sometimes been addressed under 'community service cards' for people who have low incomes which would include seniors.
- 4.4 Cold calling activity providers throughout the county showed that discounted tickets have been provided to shows and events in bespoke situations like festivals and sports and arena events. Policies differ across cities and venues. Auckland Festival for example did not require 'official authorisation' via a card and took bookings on trust. They provided reduced ticket prices for greater access for people with a disability to attend many festival offerings.

#### 5. OPTION 1 - PARTNER WITH MANA WHAIKAHA TO IMPLEMENT A LOCAL COMPANION CARD SCHEME.

- 5.1 'Mana Whaikaha – Enabling Good Lives' is a prototype of a transformed disability support service funded by the NZ Government, through the Ministry of Health. This contract has just been rolled over.
- 5.2 Mana Whaikaha has approached Council with a proposal to set up and administer a companion card scheme. PNCC and the DRG would endorse the initiative with PNCC contributing communications and marketing support.
- 5.3 The high-level model is sketched below and, if this option is selected, further work would be carried out to formalise the relationships, obligations and cost sharing through a service contract.

<b>Project</b>	Palmerston North Companion Card
<b>Sponsor</b>	PNCC – Disability Reference group
<b>Lead</b>	Mana Whaikaha
<b>Partner</b>	Ministry of Health
<b>Description</b>	To introduce a companion card for disabled people in Palmerston North. The card will allow disabled people to be accompanied by a companion when visiting a ticketed venue without the need to buy two tickets.
<b>Implementation</b>	<ul style="list-style-type: none"> <li>• Mana Whaikaha will set up a registration process for disabled people to apply for receiving a companion card.</li> <li>• Mana Whaikaha will manage the registration process, keep a data base of all registered people, issue and manage the cards.</li> <li>• PNCC will design and print the cards.</li> <li>• Ministry of Health would contribute to the design of the card.</li> <li>• PNCC will develop and implement a communications and marketing strategy to promote the scheme across the city encouraging ticketed venues to participate in the scheme to expand its reach.</li> <li>• Mana Whaikaha would manage the reimbursement to activity providers for the cost of the companion seats provided.</li> </ul>

#### 5.4 Obtaining buy-in of activity providers.

- 5.4.1 This is probably the biggest challenge to implementing a Companion Card Scheme as there is little point implementing a scheme to provide free seats to companions if there is nowhere to use it. The MCH research identified this as a hurdle that would require a law change to compel participation. A comprehensive communications strategy was identified as crucial to success of the scheme.
- 5.4.2 The ticketed entry activity providers in the City where a Companion Card scheme could apply include: movie theatres, swimming pools, Centrepont, The Stomach, Snails, Arena Manawatu plus the CCOs: The Regent, The Globe, Te Manawa and Caccia Birch. The Regent and The Globe are primarily venues for hire. Council does not usually ticket its events.
- 5.4.3 Officers have rung the various activity providers and ascertained that there are no special ticketing arrangements for companions of disabled people in the City. While

Council does have influence over the CCOs who provide venues for hire this does not necessarily extend to the promoters or ticketing agencies themselves.

5.4.4 Council could express their wish for CCOs and other ticketed activity providers, like the swimming pools and Centrepont to encourage their hirers to provide companion entry. However, it is unlikely we could compel them, or the hirers, or contracted service providers to do so (in the case of the swimming pools).

5.4.5 If Council does support introducing a Companion Card Scheme then Council may choose to create a capped fund to reimburse activity providers for lost income due to companion seating. The extent of this demand is unknown as knowing how many eligible persons there are for a Companion Card is not the same as knowing how often cards would be used.

#### 5.5 Facilities for disabled persons.

As it is unknown what demand there would be by persons with disabilities, it is unknown what capacity venues would need to develop if existing capacity is inadequate. This would need to be assessed over time and, if additional spaces and other facilities are required for CCOs, this would be at Council's expense.

#### 5.6 Costs

The value of Council's Marketing and Communications Unit developing and implementing a communications strategy, including designing and printing cards and window stickers is estimated at \$10,000. This would need to be accommodated from within existing resources. The cost of providing a capped fund to compensate providers for loss of income is suggested as being \$10,000 of unbudgeted expenditure.

### 6. **OPTION 2 – COUNCIL IMPLEMENTS A COMPANION CARD SCHEME.**

#### 6.1 Assessment of eligibility.

The MCH research found that *"there is no simple and consistent way for providers of activities to determine who legitimately requires a companion card to attend paid entry activities"*.

Council would be in this same position and would need to investigate how it could assess or verify eligibility of applicants given that Council is not privy to data held by various government agencies.

6.2 The discussion under Option 1 around obtaining the buy-in of activity providers and the ability of activity providers to accommodate persons with disabilities also apply under Option 2.

### 6.3 Costs – estimate \$70k year 1 and \$20k thereafter.

Component	Budget estimate
Establishment - 1 FTE for 6 months	\$40,000
Administering - 0.25 FTE pa (1/2 yr only for 20/21)	\$10,000
Communications and Marketing (developing and implementing strategy, design, printing)	\$10,000
Compensating activity providers for lost income	\$10,000
<b>Year 1 estimated costs</b>	<b>\$70k</b>

The cost of implementing this new programme has not been budgeted in 2020/2021 and there is no existing capacity within the existing staffing establishment and budgets to implement this programme in 2020/2021. It would need to put forward to the Long Term Plan Discussions as a new programme.

### 6.4 Mandate

Council does not usually provide social services, other than social housing, directly to the public. Our approach is to support the community to take ownership of community issues and develop solutions. Developing and implementing a Companion Card scheme does not appear as an action in the current plans and there is no funding allocated. Proceeding with Option 2 would require consideration of a new programme through the LTP process and a new level of service.

## 7. **OPTION 3 – WAIT FOR A NATIONWIDE COMPANION CARD SCHEME**

7.1 The Government decided introducing a nationwide Companion Card scheme was not a priority for Budget 2017 and again in 2019.

7.2 The Disability Action Plan for 2019-2023 presented a package of 25 cross-government work programmes that are underway or are being planned that have an explicit disability perspective. It does not include the Companion Card scheme although there is scope for it to be added:

*“The Action Plan responds to the main issues identified by disabled people, the Disabled People’s Organisation (DPO) Coalition and government agencies working together. We expect most of the work programmes in the Action Plan to continue beyond 2023. New work programmes may be added to the Action Plan over its timeframe.”*

7.3 In carrying out research for this paper, MCH expressed an interest in hearing from Council if it would like to advocate for a nationwide companion card scheme. A

submission by LGNZ had contributed to the decision not to proceed with a nationwide scheme.

## 8. ANALYSIS OF OPTIONS

- 8.1 Option 1 – Partnering with Mana Whaikaha to implement a companion card system is feasible and achievable in 2020/2021. The cost to Council under this option would be in providing communications, design and marketing expertise by existing staff plus making an unbudgeted \$10,000 available to reimburse the loss of income to activity providers, should Council wish to do so.
- 8.2 Option 2 – It is possible for Council to introduce a Companion Card scheme on its own. However, without the budget or mandate for doing this in 2020/2021 it would need to be considered by Councillors as a new programme during the LTP deliberations as a new level of service.
- 8.3 Option 3 – waiting for a nationwide scheme is a long game as there is no current plan to introduce a companion card scheme. Council could lend its voice to the community advocacy and write to the Office for Disability Issues within MSD urging them to add the Companion Card initiative as a work programme to the Disability Action Plan 2019-2023 and inviting them to partner with our pilot programme which could then form part of the evidential base they are currently lacking.

## 9. RECOMMENDATIONS

- 9.1 Council's resolution was to explore the feasibility of introducing a companion card scheme to the City. While it is feasible for Council to introduce a scheme on its own in 2021/2022 the best option is Option 1, partnering with Mana Whaikaha, Ministry of Health and the Disability Reference Group.

## 10. NEXT ACTIONS

- Officers enter in discussions with Mana Whaikaha to negotiate a contract to implement a companion card scheme in the City.
- Council's Marketing and Communications Unit to work with Mana Whaikaha to design and implement a strategy to launch the Companion Card Scheme.
- Officers write to the Ministry for Culture and Heritage advocating for the implementation of a nationwide companion card scheme and partnering to use this pilot in their evidential base.

**11. COMPLIANCE AND ADMINISTRATION**

Does the Committee have delegated authority to decide?	<b>No</b>
Are the decisions significant?	<b>No</b>
If they are significant do they affect land or a body of water?	<b>No</b>
Can this decision only be made through a 10 Year Plan?	<b>No</b>
Does this decision require consultation through the Special Consultative procedure?	<b>No</b>
Is there funding in the current Annual Plan for these actions?	<b>No</b>
Are the recommendations inconsistent with any of Council's policies or plans?	<b>No</b>
The recommendations contribute to Goal 3: A Connected and Safe Community	
The recommendations contribute to the outcomes of the Connected Community Strategy	
The recommendations contribute to the achievement of action/actions in the Community Services and Facilities Plan	
Contribution to strategic direction and to social, economic, environmental and cultural well-being	<p>The purpose of this plan is to enable participation: Priority 1: <i>Develop, provide and advocate for services and facilities that create a connected, welcoming and inclusive community.</i></p> <p>A Companion Card scheme would be in keeping with the intention of Goal 3: 'A connected and safe Community' but there is not currently an action to do this. If Council is supportive of the initiative then it would be an action to consider during the development of the 10 year plan.</p>

**ATTACHMENTS**

Nil

## MEMORANDUM

**TO:** Community Development Committee

**MEETING DATE:** 5 August 2020

**TITLE:** Papaioea Park Sports Pavilion - Tenant Lounge Option Analysis

**PRESENTED BY:** Bryce Hosking, Manager - Property and Kathy Dever-Tod, Manager - Parks and Reserves

**APPROVED BY:** Tom Williams, Chief Infrastructure Officer

### RECOMMENDATION(S) TO COUNCIL

1. That the memorandum entitled “Papaioea Park Sports Pavilion – Tenant Lounge Option Analysis” presented to the Community Development Committee on 5 August 2020, be received for information.
2. That Stage 3 of the Papaioea Place Redevelopment be referred to the 2021-31 Long Term Plan process.

### 1. ISSUE

- 1.1 A deputation was given to the Community Development Committee on 1 July 2020 by some residents at Council’s Papaioea Place Social Housing Complex expressing their desire for a tenant lounge or shared hall space to be made available in the immediate vicinity of the complex.
- 1.2 The tenants spoke to the need for a communal space over and above the housing units whereby residents could connect and use for a variety of social activities.
- 1.3 As the old tenant lounge within the complex had been demolished, there was currently no alternative tenant lounge option within the complex.
- 1.4 Council is to consider the preferred scope for the potential Stage 3 of the Papaioea Place Redevelopment as part of the 2021-31 LTP. Stage 3 could include a new tenant lounge within the complex, or an alternative option being proposed could be to utilise the Papaioea Park Sports Pavilion to accommodate the needs of the residents.
- 1.5 With this in mind, and in response to this deputation, Council resolved:
  2. *That the Chief Executive investigate the Papaioea Park cricket pavilion for use*

*by the Papaioea Place residents as a community space, and that this be reported back to the next Community Development Committee meeting.*

- 1.6 This report addresses this resolution.

## 2. BACKGROUND

### Papaioea Place Redevelopment

- 2.1 The Papaioea Place project form of contract is a design and build contract between Palmerston North City Council (Principal) and Latitude Homes (Contractor) of New Plymouth.
- 2.2 Papaioea Place Stage 1 was delivered through Programme 357. This saw the demolition of the 32 existing units and the construction of 50 new units in their place. Stage 1 was completed as planned on 28 February 2020 and within budget.
- 2.3 Papaioea Place Stage 2 sees the demolition of the remaining blocks of units on site, the old tenant lounge, and the old hall, and in its place the construction of an additional 28 new units. Once complete this will take the total number of new units on the site to 78.
- 2.4 As indicated in Clause 1.3 of this report, the old tenant lounge within the complex was demolished as part of Stage 2 of the Papaioea Place Redevelopment project, and at the time of writing this report there was currently no alternative tenant lounge option within the complex.
- 2.5 Council is to consider the preferred scope for the potential Stage 3 of the Papaioea Place Redevelopment as part of the 2021-31 LTP. The scope of Stage 3 could include a new tenant lounge in some capacity within the complex, or an alternative option being proposed could be to utilise the Papaioea Park Sports Pavilion to accommodate the needs of the residents.

### Papaioea Park Sports Pavilion

- 2.6 Built in the 1920s, the 140m<sup>2</sup> Papaioea Park Sports Pavilion is primarily used by Manawatu Cricket Association over the summer months and Central Football Association over the winter months as support for their sporting activities at Papaioea Park.
- 2.7 After speaking with the Manawatu Cricket and Central Football, Council Officers understand the pavilion building is generally used for its changing rooms and kitchen and bathroom facilities.
- 2.8 The main usage occurs primarily on Saturdays for gamedays and occasionally twice during the week in the evenings for trainings.



- 2.9 Providing the pavilion is still available to them to meet their current needs, both parties have informally expressed that they are comfortable with the pavilion being explored as a possible option to accommodate the needs of the residents within the housing complex.

### 3. PAPAIOEA PARK SPORTS PAVILION ANALYSIS

#### Current Condition

- 3.1 Council Officers have undertaken a condition assessment of the Papaioea Park Sports Pavilion.
- 3.2 Overall the pavilion building has been assessed to be in a poor condition. Whilst there are no reported issues with the building structure itself, there are multiple issues that would need to be addressed if it were to meet the requirements of the housing residents including:
- The facilities within the building are aged and run down;
  - The building is not considered to meet accessibility standards of the housing residents;
  - Whilst the building is compliant for its current use, works triggering a building consent will require several upgrades in this area; and
  - The building has poor heating and cooling provision and is not insulated.
- 3.3 It is important to note that the pavilion is meeting the current needs of the sports users especially given the infrequent use rate, however, it would require considerable renovation if it were to be considered fit-for-purpose as a multi-use space accommodating a tenant lounge.

#### Renovation Strategy

- 3.4 As a general strategy the works to be completed within the facility need to enable multi-use, both from the existing users of the facility, but also converting it to act as a tenant lounge.
- 3.5 It has been assessed that the best way to achieve this is to redesign and improve the internal layout of the building to create a separated sports pavilion area and a secure tenant lounge area. This will help mitigate the risk of conflicting use and ensure the security of the assets within the individual spaces.
- 3.6 A summary of the proposed new layout:
- The building will continue to be accessed through the main entrance in the centre of the building facing the park.
  - There will be a shared accessible toilet in the main foyer.

- The left side of the building will house the sports pavilion facility and feature its own kitchenette, toilet, changing and shower facilities.
- The right side of the building will be the newly created tenant lounge. This will also feature its own kitchenette, and toilet and bathroom facilities.
- The actual lounge area will be approx. 40m<sup>2</sup> (5m x 8m) and should comfortably sit 20 people at a time.

3.7 The concept layout is below:



3.8 Works will focus on:

- Functionality – multi-use, enabling maximum use of the building
- Sustainability – energy efficiency, heating and cooling improvements etc.
- Lifting the overall quality of the facility and its components;
- Accessibility; and
- Meeting compliance requirements – BWO, fire and asbestos removal.

3.9 Recommended Scope of Works to be Completed

3.10 General Building Work:

- Provide Drafting Service for additional toilet and wash basin;
- Allowance for Alpha Fire/Egress Report and compliance works;
- Repaint exterior walls of building;
- Repaint all interior of building;
- Supply and install Insert Aluminium Double Glazing to all joinery units;
- Supply and install ball guards to front joinery of Pavilion;
- Divide current space into two separate functioning spaces;
- Supply and install two Heat Pumps for main areas, protect exterior units in Galvanised Cages;
- Insulate full ceiling areas with R3.2 Ceiling Insulation;

- Insulate all accessible under floor with R1.5 Insulation;
- Controlled asbestos removal included for all asbestos backed vinyl within the building; and
- Allowance included for repairs to existing subfloor framing.

3.11 Tenant Lounge Area:

- Remove shower area, floor coverings, fixtures and fittings, cylinder, interior linings and trims where needed;
- Install partition walls as per design provided for new Accessible Bathroom;
- Provide new hardware throughout, new trims as required, wall linings to timber framed walls as required;
- Supply and fit 3 new toilets (accessible), hand basins and tapware to refresh bathrooms;
- Supply and fit new kitchenette with splash back;
- Provide new Vinyl flooring to kitchenette and two bathrooms;
- Provide Carpet to lounge room; and
- Provide Cylinder HW mains pressure HW heating.

3.12 Sports Rooms Area:

- Remove part kitchen benches and make good area;
- Replace toilet and basin with new;
- Reline shower cubicle with new Hydra-panel, and install new fittings;
- Provide new hardware throughout, new trims as required, wall linings to timber framed walls as required; and
- Sand and Polyurethane timber floors to all Sports Areas, including toilet and shower rooms.

3.13 The above works have been quoted at around \$180,000 + GST.

3.14 In addition to the above works the following could be considered:

- Roof Replacement;
- Full re-plumb and re-wire of building;
- Creation of a pathway to the pavilion from the housing development; and
- Security lighting for the pathway above.

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- 3.15 The roof and wiring are estimated to come to the end of their useable life within the next 10 years. As such Council Officers recommend that these works also be undertaken alongside the renovation works.
- 3.16 The pathway and lighting provision are recommended to be undertaken both from an accessibility and security viewpoint.
- 3.17 It is recommended \$100,000 + GST be allowed for these works.
- 3.18 Factoring in contingency, project management and other project related costs, it is recommended a total project budget of \$350,000 + GST be allowed for this project.

#### Papaioea Park Zoning Considerations

- 3.19 Papaioea Park is zoned "Recreation" under the current operational District Plan.
- 3.20 The park is not held as a reserve under the Reserves Act 1977 but is treated as a reserve due to its current use under the LGA 2002. The park is used for sports and general recreation.
- 3.21 Even though Papaioea Park is not strictly vested as a reserve under the Reserves Act 1977, if Council treated the park as vested, the following condition for any proposed activity would be required under that act:
  - *All activity of a permanent or ongoing nature should be consistent with the purpose for which the reserve is held.*
- 3.22 The purpose of Papaioea Park is for sports and general recreation. If the Papaioea housing tenants were to occupy a section of the pavilion, this would be considered consistent with the purpose of general recreation and social interaction. Therefore, this activity is considered consistent with Council's legal position on this reserve.
- 3.23 In addition, as this is considered a consistent activity, and it is not a new lease for the pavilion (the housing residents will just be users of the facility), no public consultation will be required regarding it being used as a tenant lounge.

#### General Considerations

- 3.24 There are several other operational matters Council would need to consider as part of this opportunity:
  - Booking, administration and keys
    - How will bookings be facilitated and administered?
    - In the situation where there are conflicting bookings, who takes precedence? Who determines this?
    - Dispute resolution? Reporting damage?

- Who will hold the keys to the facility?
- Additional cleaning and provisioning
  - The pavilion is currently cleaned once a week by Council's cleaning team, however, if being used more frequently this will require an increased level of service.
  - New furniture will need to be supplied for the tenant lounge.
- Security
  - The pavilion is on a publicly used park and thus will be interacted with by a multitude of the general public.
  - The ensured safety and security for residents when using the lounge area.
  - Will security cameras be required? What are the implications of this?

3.25 For clarity, these are not necessarily decisions for Councillors, but more considerations at an operational level with the various user groups.

#### 4. NEXT STEPS

- 4.1 Council to consider the preferred scope for the potential Stage 3 of the Papaioea Place Redevelopment as part of the 2021-31 LTP. Stage 3 could include a new tenant lounge within the complex, or an alternative option being proposed could be to utilise the Papaioea Park Sports Pavilion to accommodate the needs of the residents.
- 4.2 For clarity there is currently no budget provision for Stage 3 so any additional funding of the preferred option would need to be formally approved as part of the 2021-31 Long-term Plan.

#### 5. COMPLIANCE AND ADMINISTRATION

Does the Committee have delegated authority to decide?	No
Are the decisions significant?	No
If they are significant do, they affect land or a body of water?	No
Can this decision only be made through a 10 Year Plan?	No
Does this decision require consultation through the Special Consultative procedure?	No
Is there funding in the current Annual Plan for these actions?	No
Are the recommendations inconsistent with any of Council's policies or plans?	No

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The recommendations contribute to Goal 3: A Connected and Safe Community	
The recommendations contribute to the outcomes of the Connected Community Strategy	
The recommendations contribute to the achievement of action/actions in the Social Housing Plan	
The action is: Upgrade the Papaioea housing complex (by end of 2018/2019).	
Contribution to strategic direction and to social, economic, environmental and cultural well-being	Upgrade the Papaioea housing complex (by end of 2018/2019).

**ATTACHMENTS**

Nil

## REPORT

**TO:** Community Development Committee

**MEETING DATE:** 5 August 2020

**TITLE:** Draft Local Alcohol Policy - Deliberations on Submissions

**PRESENTED BY:** Julie Macdonald, Strategy & Policy Manager

**APPROVED BY:** Sheryl Bryant, General Manager - Strategy & Planning

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### RECOMMENDATION(S) TO COUNCIL

1. That the Statement of Proposal incorporating the revised draft Local Alcohol Policy 2020 (as attached as attachment one to the report entitled "Draft Local Alcohol Policy – Deliberations on Submissions" presented to the Community Development Committee on 5 August 2020) be approved for public consultation.
2. That the Mayor and Deputy Mayor be authorised to make minor amendments to the Statement of Proposal prior to public consultation.

### SUMMARY OF OPTIONS ANALYSIS FOR

<b>Problem or Opportunity</b>	Following analysis of the submissions received during the consultation period, officers recommend some changes to the draft Local Alcohol Policy (LAP). The significance of these proposed changes necessitates further public consultation before a draft LAP can be adopted.
<b>OPTION 1:</b>	<b>Approve the Statement of Proposal (incorporating a revised draft LAP) for public consultation</b>
Community Views	The Council has received community views on the draft LAP through the formal consultation process, and submitters have argued for a number of changes. Staff recommend some changes are made in response to the submissions. Case law has established that Council should re-consult with the community before adopting a policy that is significantly different from the initial proposal.
Benefits	Further consultation will provide the community with the opportunity to provide input on a revised draft Local Alcohol Policy.
Risks	Further consultation will delay the adoption of a Local Alcohol Policy.
Financial	The costs of consultation will be met from within existing budgets. However, further consultation was not anticipated, and the additional work to consult will inevitably divert staff time and resources away from future projects to continue work on the draft LAP.
<b>OPTION 2:</b>	<b>Do not approve the Statement of Proposal for public consultation – adopt the draft LAP as initially consulted.</b>
Community Views	Council has already received community views through consultation on the draft LAP. If no significant changes are made to that proposal, then Council could choose to adopt it and no further consultation is required.
Benefits	The current draft LAP would be adopted by Council (becoming a Provisional LAP) and would then move to the next step – notifying adoption and calling for appeals.
Risks	If the LAP is appealed, and the Alcohol and Regulatory Licensing Authority (ARLA) rules some or all elements of the LAP as “unreasonable”, Council will be required to re-evaluate and resubmit those elements to ARLA. While an appeal is possible regardless of the policy adopted, an appeal to ARLA is more likely (and may be more likely to be upheld) if the Council cannot show it has taken into account the issues raised by submitters. This does not require the Council to make the changes suggested by submitter, but the absence of any consideration of those issues could lend support to a successful



	appeal to ARLA.
Financial	The costs arising if a Provisional LAP is appealed are unknown. Costs would be determined by the nature of the appeals and the appetite of the Council to engage legal counsel to represent the Council at ARLA hearings.
<b>OPTION 3:</b>	<b>Do not approve the draft LAP for public consultation – cease work on a draft LAP.</b>
Community Views	Council has already received community views through consultation on the draft LAP. If the Council chose not to proceed with a draft LAP, then no further consultation is required.
Benefits	There are no particular benefits to this option.
Risks	The Council would have no policy guiding licensing decisions by the DLC, and the alcohol-related harm that could have been minimised by the application of the draft LAP could continue. Without a policy the default national maximum trading hours would apply, leaving on-licensed premises free to apply for a licence to trade until 4am, and off-licensed premises free to apply for a licence to trade until 11pm.
Financial	There would be no further direct costs if the Council chose not to proceed with a draft LAP.

## **RATIONALE FOR THE RECOMMENDATIONS**

### **1. OVERVIEW OF THE PROBLEM OR OPPORTUNITY**

- 1.1 The Sale and Supply of Alcohol Act 2012 (the Act) empowers local authorities to develop a local alcohol policy (LAP). The purpose of this policy is to minimise alcohol-related harm by permitting the Council to introduce a limited set of local rules relating to alcohol licensing.
- 1.2 The Council is not obliged to adopt a local alcohol policy, but if it decides to do so it must follow a prescribed process. A local alcohol policy is strictly limited to a small number of matters relating to licensing, which are:
  - Whether further licences (or licences of a particular kind or kinds) should be issued for premises in the district concerned, or any stated part of the district.
  - Maximum trading hours.
  - Location of licensed premises by reference to broad areas, by reference to proximity to premises of a particular kind or kinds, or by reference to facilities of a particular kind or kinds.

- One-way door restrictions.
  - The issue of licences, or licences of a particular kind or kinds, subject to discretionary conditions.
- 1.3 The policy may not address any matters not relating to licensing.
- 1.4 In developing a draft LAP, the Council is required by section 78 of the Act to have regard to a number of factors:
- The objectives and policies of its district plan.
  - The number of licences of each kind held for premises in its district, and the location and opening hours of each of the premises.
  - Any areas in which bylaws prohibiting alcohol in public places are in force.
  - The demography of the district's residents and visitors.
  - The overall health indicators of the district's residents.
  - The nature and severity of the alcohol-related problems arising in the district.
- 1.5 Having earlier resolved to develop a local alcohol policy, Council drafted and consulted on a draft LAP in 2019. Following hearings in February 2020, it is now required to deliberate on those submissions. This report provides advice for the Council on those submissions and recommends that further changes are made to the draft LAP in response to the issues raised by submitters. Officers also advise that the significance of the proposed changes to the draft LAP are such that further consultation is needed. This consultation would ensure that members of the community have an opportunity to make their views known on what Council is proposing to adopt, and for Council to take those views into consideration before making its decision.

## 2. BACKGROUND AND PREVIOUS COUNCIL DECISIONS

- 2.1 The Council's progress towards developing a local alcohol policy has been long and involved. The initial resolution was in 2013. Changes to the District Plan (identified after consultation on the first draft LAP in 2017) caused significant delay to the process, as did the complexity of the evidence required by the Act to support any proposed policy.
- 2.2 Officers began working again on the draft LAP once the necessary changes to the District Plan were completed. The draft 2017 LAP (now referred to as draft LAP v1) was used as the basis, and the existing Research Report was updated wherever

possible with the most current information. Revisions were made to the draft LAP (now referred to as draft LAP v2) to achieve the same objectives as the draft LAP v1.

- 2.3 Public consultation on the draft LAP v2 was carried out between 26 October and 13 December 2019. Oral submissions were heard by the Community Development Committee on 25 February 2020.
- 2.4 Officer advice for the deliberations on submissions was scheduled to be presented to the Committee in May 2020 but this was delayed by the Council's response to the COVID-19 pandemic.

### 3. DESCRIPTION OF OPTIONS

- 3.1 The first option is to adopt the Statement of Proposal, incorporating the revised draft Local Alcohol Policy (now referred to as draft LAP v3). The draft LAP v3 includes a number of significant changes from the draft LAP v2 as a result of public consultation, namely:

	Proposed – draft LAP v3	Consulted – draft LAP v2	Current
<b>Maximum trading hours – on-licensed premises</b>	Hotels, taverns, and class 1 restaurants (with a bar area operated as a tavern): 8am to 3am  All other on-licensed premises: 8am to 1am	All on-licensed premises in business and industrial zones: 8am to 2am  All on-licensed premises in any other zone: 8am to 12am	8am – 4am  (default national maximum trading hours set under the Sale and Supply of Alcohol Act 2012)
<b>Maximum trading hours – off-licensed premises</b>	All off-licensed premises: 7am to 9pm	All off-licensed premises: 7am to 10pm	7am – 11pm  (default national maximum trading hours set under the Sale and Supply of Alcohol Act 2012)
<b>One-way door restriction</b>	Mandatory for any on-licensed premises trading beyond 2am, applying from 2am until closing.	No one-way door restriction	No one-way door restriction

3.2 The other notable changes made in the draft LAP v3 are:

- Moving the Explanatory Notes to a separate document attached as part of the Statement of Proposal for consultation.
- Including terms to the Definitions section (which is moved to an appendix at the end of draft LAP v3) for “one-way door restriction” and “exempt person.”

3.3 The second option is to not adopt the Statement of Proposal, but to adopt the draft LAP v2 as it was presented for public consultation in 2019.

3.4 The third option is to not adopt the Statement of Proposal, and to cease work on the development of a local alcohol policy.

#### 4. ANALYSIS OF OPTIONS

4.1 A full analysis of the issues raised by submitters is provided in the document attached to this report as attachment two. This analysis identifies changes recommend by officers in response to the issues raised by submitters.

##### Option one – adopt the Statement of Proposal (incorporating a revised draft LAP v3)

4.2 The recommended changes are substantially different from the draft LAP v2 which was put out for public consultation. Therefore, the first option is to adopt a new Statement of Proposal which incorporates the recommended changes, which would then be put out for public consultation.

4.3 Option one could be varied by making fewer or different changes to the initial proposal. Depending on the scope of those changes further consultation may not be required. The test that is applied is whether the proposed changes would have generated significantly different submissions to those which were received. It could be argued that only making a change to the maximum trading hours for on-licensed premises (for example increasing the maximum trading hours to 3am) might not generate significantly different submissions. Given the submissions already received in support of the proposed 2am trading hours (and advocating for even greater restrictions), submitters may have already conveyed the main arguments opposed to less restrictive trading hours. Therefore, it could be argued that they would likely submit in substantially the same vein if the Council had proposed to set maximum trading hours at 3am.

4.4 However, taking all the recommended changes together, officers advise that the changes are substantially different from what was proposed for consultation in 2019 and would likely generate different submissions. Therefore, further consultation is recommended.

- 4.5 The scope of the changes proposed in the draft LAP v3 remain consistent with the evidence presented in the research report. A key concern identified in the report is the impact of preloading on alcohol-related harm. Shifting the emphasis in reduction of maximum trading hours to off-licensed premises will more precisely address the issue of preloading (within the limitations of the scope of the LAP) because it will further limit the availability of alcohol for preloading. The other changes are consequent to the change in focus on trading hours – the inclusion of a mandatory one-way door restriction mitigates the easing of trading hour restrictions for some on-licensed premises.
- 4.6 The draft LAP v3 responds to the issues that submitters have raised by further refining the proposals that aim to reduce alcohol-related harm. The revised proposals do this by:
- further restricting the availability of alcohol from off-licensed premises through shorter trading hours;
  - limiting maximum trading hours for some on-licensed premises to 3am (1am for class 2 and 3 restaurants, cafes, cinemas, theatres and function centres)
  - creating a one-way door restriction for on-licences that mitigates the potential harm associated with sale of alcohol late at night.
- 4.7 The main benefit of option one is that it allows the Council to continue engaging with the community on the best set of proposals to minimise alcohol-related harm. It shows that the Council is listening to the community and is prepared to re-evaluate and modify the proposal in response to the concerns of those who make submissions.
- 4.8 The key risk to option one is that it will further delay the adoption of a draft LAP. Until a policy has been adopted and cleared the appeals process, it has no effect, and the risk remains that the alcohol-related harm the Council seeks to minimise continues unchecked. Also, continuing consultation on a draft LAP extends the gap between the data and research collected for the development of the draft LAP and its ultimate adoption. The longer that this takes the greater the chance that the policy will not be based on current and relevant data.

#### Option two – adopt the draft LAP (v2) as initially consulted

- 4.9 Option two is the simplest option, adopting the draft LAP v2 without any further changes, and with no further consultation. The Committee may be unpersuaded by the arguments of submitters and believe that the draft LAP as it was initially proposed represents its preferred policy.
- 4.10 The benefit of option two is that it concludes the main policy development work, and the Council can move to notifying the draft LAP as a Provisional LAP for appeals.

Council would move a step closer to having an operative LAP which would begin to guide the decisions of the District Licensing Committee (DLC).

- 4.11 The main risks of option two lie in the appeals stage. Any person who has made a submission on the draft LAP can appeal the Provisional LAP on the grounds that an element of the LAP is unreasonable in light of the object of the Act. Submitters who feel that Council has not correctly assessed and weighed the issues that were raised during consultation, and acted accordingly, could choose to appeal the Provisional LAP to ARLA.
- 4.12 Adopting the draft LAP v2 (as initially consulted), without making any changes, would not substantially address the issues of preloading, particularly the availability of alcohol from off-licensed premises. It also potentially risks increasing alcohol-related harm, based on the arguments of many submitters who observed during the 2am voluntary trial that violence and alcohol-related harm was not reduced and may have even increased.

Option three – discontinue development of a local alcohol policy

- 4.13 Option three would see the Council discontinue the development of a local alcohol policy altogether. The Council is not obliged to develop a local alcohol policy, and so it can choose at any stage to discontinue its LAP development.
- 4.14 Throughout the development of the draft LAP officers have acknowledged the difficulty in meeting the high threshold for good quality local evidence and data to support the policy development process. While this is not taken as evidence of the absence of alcohol-related harm, the lack of *local* evidence has restricted the scope of the policy that officers are able to recommend. Since the passage of the Act in 2012, many local authorities have been frustrated by the burdens of the process and have either adopted notably weaker policies than were initially formulated or have abandoned their draft policies altogether.
- 4.15 Option three introduces some risks. Firstly, without an alcohol policy, any alcohol-related harm that a policy might have addressed would continue in the absence of any new restrictions. Secondly, the maximum trading hours for licensed premises would be the default hours in the Sale and Supply of Alcohol Act. For on-licensed premises this would be 8am to 4am, and for off-licensed premises it would be 7am to 11pm. The presence of these maximum trading hours does not guarantee that any applicant would be granted those maximum hours on a licence; the DLC retains discretion to set the maximum trading hours on an individual licence. It should also be noted that during the development of the draft LAP those default national maximum trading hours are already in effect, yet no licence applicant has been granted a licence to trade until 4am.

### Recommendation

- 4.16 Officers recommend option one – approve the draft Statement of Proposal for public consultation. The draft LAP v2 was developed based on the best available evidence and information. The draft LAP v3 builds on that base but has been refined through the consultation process. Approving the Statement of Proposal gives the community an opportunity to express their views on the revised policy, and ensures the Council is fully informed about those views before it makes a final decision.
- 4.17 Concurrent with making significant changes to the draft policy, the format of the policy has also been changed to make the document simpler, including the removal of the explanatory notes from the draft policy to a separate (but attached) document, following an example from Auckland Council.
- 4.18 The second notable change is the inclusion of new defined terms: “one-way door restriction” and “exempt person” in recognition of the inclusion in the policy of a one-way door restriction for on-licensed premises.
- 4.19 If the Committee approves the Statement of Proposal for consultation, then the Statement of Proposal will be designed by Print Synergy (as with the initial draft LAP) for public consultation.
- 4.20 If the Committee chooses not to approve the draft Statement of Proposal for consultation, then it should consider whether it wishes work to continue on a local alcohol policy. While there are many different permutations to a local alcohol policy the requirement for the policy to be based on high quality local evidence limits the range of options that can be legitimately considered.

## **5. CONCLUSION**

- 5.1 In analysing the submissions received on the draft LAP, officers identified a number of changes that it recommended be made to the draft LAP. The scope of those changes necessitates further consultation. Option one, as shown in the report, is recommended.
- 5.2 While the other two options were considered, officers do not recommend either of those. Adopting the initial draft LAP without any changes – option two – would ignore the valid concerns raised by many submitters. The third option – discontinuing the development of the LAP – is not recommended because abandoning the LAP would leave alcohol-related harm unaddressed and increases the risk that an applicant could be granted a licence to trade until 4am.

## **6. NEXT ACTIONS**

- 6.1 If the Committee approves the Statement of Proposal, then officers will initiate a comprehensive community engagement process.

## 7. OUTLINE OF COMMUNITY ENGAGEMENT PROCESS

- 7.1 Officers would use the same approach to consultation as was adopted for the initial draft LAP v2. This includes using the special consultative procedure as required by the Sale and Supply of Alcohol Act 2020 but supplemented by a broader community engagement process.
- 7.2 The Statement of Proposal, including the revised draft LAP, will be published and made available as a printed document at all of Council's ordinary information points. Notification of the public consultation process will be via public notice in the Manawātū Standard and in the Guardian community newspaper, together with a media release, and posts on social media platforms.
- 7.3 As required by the special consultative procedure, people will be given an opportunity to make a written submission. Hearings will also be scheduled for those people who also wish to make an oral submission.
- 7.4 In addition to these steps, officers will also contact directly all those people who were contacted when the initial draft LAP was consulted on last year. This includes:
- Police
  - Public Health (Midcentral DHB)
  - Rangitāne o Manawātū
  - Licence holders
  - Hospitality NZ
  - Progressive Enterprises and Foodstuffs (as parent companies for many supermarket chains represented in Palmerston North)
  - Retail NZ
  - Other groups and organisations with an interest in alcohol issues (including Youth Council, ACC, Fire and Emergency NZ, Linton Camp, Street Van, Salvation Army, CEDA, Safety Advisory Board, Neighbourhood Support, church groups, MASH Trust, Te Aroha Noa, MAIN, Roslyn REACH, Safe City Trust, Māori Wardens, alcohol and drug counsellors, Best Care Whakapai Hauora, tertiary education providers and student associations, Secondary School Principals Association, Youth One Stop Shop, Restaurant Association).
  - Any other person or organisation who made a submission in 2019 on the draft LAP v2.





- 7.5 In addition to being contacted directly and provided with a copy of the proposal these stakeholders will also be invited to attend one of a series of community drop-in sessions to discuss the draft LAP v3. Alternatively, they will be given the opportunity to have Council officers attend a meeting of their group or organisation to discuss the proposals.
- 7.6 A social media engagement plan will be developed, providing people with an additional channel of communication, and an opportunity to discuss the issues.
- 7.7 It is expected that community engagement will start in September and will run for approximately five weeks. This will allow enough time for the different community engagement methods to be delivered, and for people to prepare any written submission they may wish to make. Hearings for oral submissions will be scheduled for the October meeting of the Community Development Committee. Deliberations on those submissions, along with officer recommendations on those submissions and any changes to be made to the draft LAP as a result of the consultation process, will be scheduled for the February 2021 committee meeting. It is at that meeting that the Committee may choose to adopt the draft LAP as a “Provisional” LAP.
- 7.8 Once a Provisional LAP has been adopted, Council is required to give public notice of the appeals process, which must run for a minimum of one month. Appeals are made to the Alcohol and Regulatory Licensing Authority (ARLA). If no appeals are received then the Council can adopt the Provisional LAP as a Final LAP. If appeals are received, then the process and timeframe for hearing and resolving those appeals will be determined by ARLA.

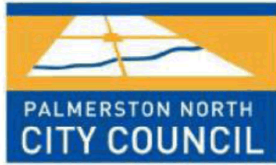
#### **COMPLIANCE AND ADMINISTRATION**

Does the Committee have delegated authority to decide?	<b>No</b>
Are the decisions significant?	<b>No</b>
If they are significant do they affect land or a body of water?	<b>No</b>
Can this decision only be made through a 10 Year Plan?	<b>No</b>
Does this decision require consultation through the Special Consultative procedure?	<b>Yes</b>
Is there funding in the current Annual Plan for these actions?	<b>Yes</b>
Are the recommendations inconsistent with any of Council’s policies or plans?	<b>No</b>
The recommendations contribute to Goal 3: A Connected and Safe Community	
The recommendations contribute to the outcomes of the Connected Community Strategy	

The recommendations contribute to the achievement of action/actions in the Safe Community Plan	
The action is: Develop a Local Alcohol Policy (by end of 2020/2021)	
Contribution to strategic direction and to social, economic, environmental and cultural well-being	The Council has specifically identified the development of a local alcohol policy as an action under the Safe Community Plan. The draft LAP is focussed on minimising the harm caused by excessive or inappropriate consumption of alcohol, which contributes to building a city where people feel safe and are safe.

### **ATTACHMENTS**

1. Revised Draft Statement of Proposal - Local Alcohol Policy 2020 [↓](#) 
2. Summary and Analysis of Submissions on the draft Local Alcohol Policy [↓](#) 



**Palmerston North City Council  
Draft Local Alcohol Policy 2020**

**Statement of Proposal  
August 2020**



## Introduction

This Statement of Proposal proposes the adoption of a Local Alcohol Policy (LAP) for Palmerston North. The draft LAP is included in this Statement of Proposal. The purpose of this Statement of Proposal is to provide an outline of the details of the draft Local Alcohol Policy and provide information on the public consultation process.

## The Proposal

This proposal is to adopt a LAP for Palmerston North. The Council is empowered by the Sale and Supply of Alcohol Act 2012 (the Act) to adopt such a policy. Under section 77 of the Act, the Council may have a policy on a specific set of matters relating to licensing, but no others. These matters are:

- Whether further licences (or licences of a particular kind or kinds) should be issued for premises in the district concerned, or any stated part of the district
- Maximum trading hours
- Location of licensed premises by reference to broad areas, by reference to proximity to premises of a particular kind or kinds, or by reference to facilities of a particular kind or kinds
- One-way door restrictions
- The issue of licences, or licences of a particular kind or kinds, subject to discretionary conditions.

The Council consulted on a draft LAP between 26 October and 13 December 2019 and heard oral submissions on 25 February 2020. The Council deliberated on all written and oral submissions in August 2020 and in response to issues decided to revise the draft LAP and conduct further consultation with the public. This document includes the revised draft LAP, which reflects changes made as a result of the earlier public consultation process.

The Council proposes to adopt a LAP that restricts maximum trading hours for all licence types:

	Licence Type	Earliest Opening Hour	Latest Closing Hour
On-licences	Hotels	8am	3am the following day
	Taverns		
	Class 1 restaurants (with a bar area operated as a tavern)		
	All other on-licensed premises (including class 2 and 3 restaurants and cafes, function centres, cinemas, and theatres)	8am	1am the following day
Off-licences	All off-licences (e.g. bottle stores, supermarkets and grocery stores)	7am	9pm
Club licences	All club licensed premises (e.g. RSAs, sports clubs)	8am	12am the following day

The Council also proposes to include a mandatory one-way door restriction for all on-licensed premises that are trading beyond 2am. A one-way door restriction prevents any person from entering, or re-entering once they have left, the licensed premises. The one-way door restriction would apply to on-licensed premises from 2am.

The Council is not proposing any other restrictions in the draft LAP. Consideration was given to location restrictions for some off-licensed premises, however there was insufficient evidence to support a recommendation to introduce such restrictions at this point.

In developing the initial draft LAP, Council officers prepared a research report. The purpose of this research report is to provide information and evidence to support analysis of the issues, and to provide a justification for the proposed elements of the draft LAP. The research report document is available on the Council's website [www.pncc.govt.nz/get-involved/have-your-say/draft-local-alcohol-policy/](http://www.pncc.govt.nz/get-involved/have-your-say/draft-local-alcohol-policy/) and a printed copy can be provided on request.

### Consultation Process

Anyone can make a submission about the draft LAP. We encourage anyone with an interest in the issues raised in this proposal to make a submission.

**NOTE**

Following the conclusion of the public consultation process (the special consultative procedure), the Council is required to give public notice of its decision and the opportunity to appeal the Council's decision. The right of appeal is provided by section 81 of the Sale and Supply of Alcohol Act 2012, and extends to any person who makes a submission as part of the special consultative procedure. The Council strongly encourages all people or organisations with an interest in this draft LAP to make a submission to the Council – whether in favour or opposed – so as to secure their right of appeal under section 81 of the Act.

This Statement of Proposal, a Summary of Information, and the submission form can be found at:

- Palmerston North City Council website  
[www.pncc.govt.nz/get-involved/have-your-say/draft-local-alcohol-policy/](http://www.pncc.govt.nz/get-involved/have-your-say/draft-local-alcohol-policy/)
- Customer Service Centre, Palmerston North City Council, The Square, Palmerston North; and
- City Library, The Square, Palmerston North, and the libraries at Ashhurst, Awapuni, Roslyn, Linton and Te Pātikitiki/Highbury.

You are also entitled to appear before the Council and speak to your submission. Please indicate on your submission form whether you wish to do this. The Council intends to hear submissions on this proposal in November 2020. Details of the hearings will be confirmed in the email or letter acknowledging your submission, and will also be advertised in the Guardian newspaper.

To get your submission to us, either:

Mail to: Draft Local Alcohol Policy 2020 Submissions, Governance and Support Team Leader, Palmerston North City Council, Private Bag 11034, Palmerston North 4442

Deliver to: Palmerston North City Council Customer Service Centre, 32 The Square, Palmerston North

Email to: [submission@pncc.govt.nz](mailto:submission@pncc.govt.nz) (write Draft Local Alcohol Policy 2020 Submissions in the subject)

Phone: 06 356 8199 Fax: 06 355 4115

**The submission period runs from 5 September 2020  
until 4pm on Friday 9 October 2020**

Please note that all written submissions, including the contact details on the submission, will be made available to the public and media and on the Council's website. If you would prefer to have your contact details kept private, you can request that in your submission. For further information on this consultation please phone the Council on 06 356 8199 or email us at [info@pncc.govt.nz](mailto:info@pncc.govt.nz).



PALMERSTON NORTH  
LOCAL ALCOHOL POLICY  
2020

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## Introduction

The Sale and Supply of Alcohol Act 2012 gives local authorities the power to make local alcohol policies. These policies are intended to guide and direct the decisions of the District Licensing Committee on applications for alcohol licences in Palmerston North.

A key feature of these local alcohol policies is the requirement to engage and consult with the community during the development of the policy. This ensures that the views of the community are considered and that the policy reflects the aspirations of the community about how alcohol is sold and consumed in the district.

Section 77 of the Sale and Supply of Alcohol Act 2012 identifies the specific matters that a local alcohol policy can address:

- a) location of licensed premises by reference to broad areas:
- b) location of licensed premises by reference to proximity to premises of a particular kind or kinds:
- c) location of licensed premises by reference to proximity to facilities of a particular kind or kinds:
- d) whether further licences (or licences of a particular kind or kinds) should be issued for premises in the district concerned, or any stated part of the district:
- e) maximum trading hours:
- f) the issue of licences, or licences of a particular kind or kinds, subject to discretionary conditions:
- g) one-way door restrictions.

## Objectives of the Policy

This policy has three key objectives:

### To minimise the harm caused by excessive or inappropriate consumption of alcohol

This objective aligns with the object of the Sale and Supply of Alcohol Act 2012, which is “the harm caused by the excessive or inappropriate consumption of alcohol should be minimised.” In this context, “harm” has a broad meaning that includes:

- a) any crime, damage, death, disease, disorderly behaviour, illness, or injury, directly or indirectly caused, or directly or indirectly contributed to, by the excessive or inappropriate consumption of alcohol; and
- b) any harm to society generally or the community, directly or indirectly caused, or directly or indirectly contributed to, by any crime, damage, death, disease, disorderly behaviour, illness, or injury of a kind described in paragraph (a).

### To provide clear and transparent guidance for licensing decisions

This policy will be used most directly by the District Licensing Committee when making decisions on applications for alcohol licences. Based on the workload of the Committee since its inception in 2013, this role will involve decisions every week on applications for new and renewed alcohol licences. It is important, therefore, that the policy provides clear and unambiguous guidance for the Committee, so that there is no confusion about how it should apply the policy to licensing decisions.

### To reflect the views of the community with regard to the sale and supply of alcohol

A key feature of the local alcohol policy provisions in the Sale and Supply of Alcohol Act 2012 is the requirement to engage and consult with the community. Prior to the new legislation, local authorities could develop licensing policies but there was no formal process around community engagement, and those policies had no official legal standing when it came to making licensing decisions. A local alcohol policy developed under the Sale and Supply of Alcohol Act 2012 must include consultation with the Police, Medical Officer of Health, licensing inspectors, and must include community consultation and engagement. Through this process, the views of the community can be incorporated into an alcohol policy which will directly influence decisions on applications for alcohol licences.

## Strategic alignment

In 2018 the Council adopted a new strategic direction with the vision “small city benefits, big city ambition.” The Council’s Long Term Plan, reviewed every three years, sets out how and when Council will fund the actions identified in its strategies and plans.

The Connected Community Strategy contributes to Goal 3: a connected and safe community. The Safe Community Plan, part of the Connected Community Strategy, identifies a range of new and existing actions to which the Council has committed, to achieve the goal of a connected and safe community. The Council made a commitment to develop a local alcohol policy by the end of 2020/2021. A local alcohol policy is made under the Sale and Supply of Alcohol Act 2012, which has two objectives:

- that the sale, supply and consumption of alcohol should be undertaken safely and responsibly; and
- the harm caused by the excessive or inappropriate consumption of alcohol should be minimised.

These objectives are consistent with Council’s strategic direction for a connected and safe community.

## Policy Guidelines

### 1. On-licences

- 1.1 The Council has identified the following policies for the issuing of on-licences by the District Licensing Committee or the Alcohol Regulatory and Licensing Authority.

#### Hours

- 1.2 The Council has identified maximum trading hours (comprising the earliest opening and latest closing hours) that should apply to the following specific types of on-licensed premises in the Palmerston North City territorial area:

#### Hotels

- 1.2.1 For On-Licensed Premises designated as Hotels, the earliest hour for trading is 8am.
- 1.2.2 For On-Licensed Premises designated as Hotels, the latest hour for trading is 3am on the day following the commencement of trading.

#### Taverns

- 1.2.3 For On-Licensed Premises designated as Taverns, the earliest hour for trading is 8am.
- 1.2.4 For On-Licensed Premises designated as Taverns, the latest hour for trading is 3am on the day following the commencement of trading.

#### Class 1 restaurants with a bar area operated as a tavern

- 1.2.5 For On-Licensed Premises designated as Taverns, the earliest hour for trading is 8am.
- 1.2.6 For On-Licensed Premises designated as Taverns, the latest hour for trading is 3am on the day following the commencement of trading.

#### Other on-licensed premises<sup>1</sup>

- 1.2.7 For all other On-Licensed Premises, the earliest hour for trading is 8am.
- 1.2.8 For all other On-Licensed Premises, the latest hour for trading is 1am on the day following the commencement of trading.

#### Hotel mini-bars

- 1.2.9 The restriction on trading hours for on-licences does not apply to sales of alcohol in hotels via mini-bars (refer to section 46 of the Act).

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<sup>1</sup> Including class 2 and 3 restaurants, cinemas, theatres, function centres and other on-licensed premises not separately categorised.

#### Location

- 1.3 Applications for an on-licence are permitted anywhere in the Palmerston North City territorial area, subject to also complying with any restrictions in the Palmerston North District Plan on the location of activities involving the sale of alcohol.

#### One-way door restrictions

- 1.4 For every on-licensed premises in Palmerston North trading after 2am, a one-way door restriction applies from 2am.

#### Discretionary conditions

- 1.5 No discretionary conditions have been identified for on-licensed premises.

## 2. Off-licences

- 2.1 The Council has identified the following policies for the issuing of off-licences by the District Licensing Committee or the Alcohol Regulatory and Licensing Authority.

#### Hours

- 2.2 The Council has identified maximum trading hours (comprising the earliest opening and latest closing hours) that should apply to the following specific types of off-licensed premises in the Palmerston North City territorial area:

#### **All off-licensed premises**

- 2.2.1 For all Off-Licensed Premises the earliest hour for trading is 7am.
- 2.2.2 For all Off-Licensed Premises the latest hour for trading is 9pm.

#### Location

- 2.3 Applications for an off-licence are permitted anywhere in the Palmerston North City territorial area, subject to also complying with any restrictions in the Palmerston North District Plan on the location of activities involving the sale of alcohol.

#### Discretionary conditions

- 2.4 No discretionary conditions have been identified for off-licensed premises.

### 3. Club licences

- 3.1 The Council has identified the following policies for the issuing of club licences by the District Licensing Committee or the Alcohol Regulatory and Licensing Authority.

#### Hours

- 3.2 The Council has identified maximum trading hours (comprising the earliest opening and latest closing hours) that should apply to the following specific types of club licensed premises in the Palmerston North City territorial area:

#### All club licensed premises

- 3.2.1 For all Club licensed premises the earliest hour for trading is 8am.  
3.2.2 For all Club licensed premises the latest hour for trading is 12am on the day following the commencement of trading.

#### Location

- 3.3 Applications for club licences are permitted anywhere in the Palmerston North City territorial area, subject to also complying with any restrictions in the Palmerston North District Plan on the location of activities involving the sale of alcohol.

#### Discretionary conditions

- 3.4 No discretionary conditions have been identified for club licensed premises.

### 4. Special licences

- 4.1 The Council has identified the following policies for the issuing of special licences by the District Licensing Committee or the Alcohol Regulatory and Licensing Authority.

#### Hours

- 4.2 The trading hours for a special licence are to be set at the discretion of the District Licensing Committee and can be up to 24 hours a day having regard to the nature and duration of the event.

#### Discretionary conditions

- 4.3 No discretionary conditions have been identified.

## Review

Section 97 of the Act requires that the Council review this policy within six years of it coming into force, and thereafter within six years of the most recent review. In recognition of the newness of this policy, the Council will undertake the first review of this policy two years after it comes into effect.

## Appendix 1 - terms used in this Policy

Act	Means the Sale and Supply of Alcohol Act 2012.
Bar	In relation to a hotel or tavern, means a part of the hotel or tavern used principally or exclusively for the sale or consumption of alcohol (refer section 5(1) of the Act).
Bottle store	Means retail premises where (generally speaking) at least 85% of the annual sale revenue is expected to be earned from the sale of alcohol for consumption somewhere else (refer section 32(1) of the Act).
Café	Has the same meaning as “restaurant” in terms of any licence.
Club	Means a body that – <ul style="list-style-type: none"> <li>(a) is a body corporate having as its object (or as one of its objects) participating in or promoting a sport or other recreational activity, otherwise than for gain; or</li> <li>(b) is a body corporate whose object is not (or none of whose objects is) gain; or</li> <li>(c) holds a permanent club charter (refer section 5(1) of the Act).</li> </ul>
Club licence	Means a licence issued under the Act for the sale and supply of alcohol for consumption on the club premises by authorised customers (refer section 21 of the Act).
Council	Means the Palmerston North City Council
Exempt person	In relation to licensed premises to whose licence a one-way door restriction applies,— <ul style="list-style-type: none"> <li>(a) means a person who—               <ul style="list-style-type: none"> <li>i. is the licensee; or</li> <li>ii. is the licensee’s spouse, civil union partner, or de facto partner; or</li> <li>iii. is a manager; or</li> <li>iv. is a manager’s spouse, civil union partner, or de facto partner; or</li> <li>v. is a member of the immediate family of the licensee or a manager; or</li> <li>vi. during the hours he or she is employed to work on the premises, and for 60 minutes after those hours have ended, is an employee of the licensee who does not live on the premises; or</li> <li>vii. is an agent of the licensee, or acting under a contract with the licensee or a manager, and has the authority of the licensee or a manager to enter the premises at that time—</li> </ul> </li> </ul>



- A. to clean, repair, or restock the premises (or any equipment in them); or
- B. to check or remove cash; or
- viii. is a person who has the authority of the licensee or a manager to enter the premises to remove equipment (for example, band equipment); or
- ix. is an employee of the licensee who lives on the premises; or
- x. is a person who—
  - A. lives or lodges in the building in which licensed premises are situated; and
  - B. is a tenant, lodger, or employee of the licensee; or
- xi. is a genuine guest of a person who—
  - A. is a person of a kind described in subparagraph (x); and
  - B. is on the premises; and

- (b) at any particular time, includes a person who,—
  - i. at that time, is authorised by an enactment other than this Act to enter the premises; or
  - ii. enters the premises to deal with an emergency occurring at that time.

Hotel	Means premises used or intended to be used in the course of business principally for providing to the public – <ul style="list-style-type: none"> <li>(a) Lodging and</li> <li>(b) Alcohol, meals, and refreshments for consumption on the premises (refer section 5(1) of the Act).</li> </ul>
Off-licence	Means a licence issued under the Act for the sale and supply of alcohol from a premises for consumption somewhere else (refer section 17 of the Act).
On-licence	Means a licence issued under the Act for the sale and supply of alcohol for consumption on the premises (refer section 14 of the Act).
One-way door restriction	Means, in relation to a licence, a requirement that, during the hours stated in the restriction, — <ul style="list-style-type: none"> <li>(a) no person is to be admitted (or re-admitted) into the premises unless he or she is an exempt person; and</li> <li>(b) no person who has been admitted (or re-admitted) into the premises while the restriction applies to the licence is to be sold or supplied with alcohol</li> </ul>
Restaurant	Means premises that – <ul style="list-style-type: none"> <li>(a) Are not a conveyance; and</li> <li>(b) Are used or intended to be used in the course of business principally for supplying meals to the public for eating on the premises (refer section 5(1) of the Act).</li> </ul>

Special licence	Means a licence issued under the Act for the sale and supply of alcohol for consumption on the premises (for an on-site special licence) or consumption somewhere else (for an off-site special licence) by people attending the event described in the licence (refer section 22 of the Act).
Tavern	Means – <ul style="list-style-type: none"> <li>(a) Premises used or intended to be used in the course of business principally for providing alcohol and other refreshments to the public; but</li> <li>(b) Does not include an airport bar (refer section 5(1) of the Act).</li> </ul>

# Palmerston North Local Alcohol Policy 2021

This is a summary of the Palmerston North Local Alcohol Policy. For more detail, please refer to the full document.

## OBJECTIVES:

- To minimise the harm caused by excessive or inappropriate consumption of alcohol
- To provide clear and transparent guidance for licensing decisions
- To reflect the views of the community with regard to the sale and supply of alcohol

## ON-LICENCES

### Hours

The following maximum trading hours apply to all on-licensed premises in the Palmerston North City territorial area:

Licence Type	Earliest Opening Hour	Latest Closing Hour
Hotels	8am	3am the following day
Taverns		
Class 1 Restaurant (with a bar area operated as a tavern)		
All other on-licensed premises (including Class 2 and 3 restaurants and cafes, function centres, cinemas and theatres)	8am	1am the following day

The restriction on trading hours for on-licences does not apply to sales of alcohol in hotels via mini-bars (refer to section 46 of the Act).

### Location

Applications for an on-licence are permitted anywhere in the Palmerston North City territorial area, subject to also complying with any restrictions in the Palmerston North District Plan on the location of activities involving the sale of alcohol.

### One-way door restrictions

For every on-licensed premises in Palmerston North trading after 2am, a one way door restriction applies from 2am.

### Discretionary conditions

No discretionary conditions have been identified.



## OFF-LICENCES

### Hours

The following maximum trading hours apply to all off-licensed premises in the Palmerston North City territorial area:

Licence Type	Earliest Opening Hour	Latest Closing Hour
All off-licensed premises (e.g. bottle stores, supermarkets, and grocery stores)	7am	9pm

### Location

Applications for an off-licence are permitted anywhere in the Palmerston North City territorial area, subject to also complying with any restrictions in the Palmerston North District Plan on the location of activities involving the sale of alcohol.

### Discretionary conditions

No discretionary conditions have been identified.



## SPECIAL LICENCES

### Location

The trading hours for a special licence are to be set at the discretion of the District Licensing Committee, and can be up to 24 hours a day having regard to the nature and duration of the event.

### Discretionary conditions

No discretionary conditions have been identified.



## CLUB LICENCES

### Hours

The following maximum trading hours apply to all club licensed premises in the Palmerston North City territorial area:

Licence Type	Earliest Opening Hour	Latest Closing Hour
All club licensed premises	8am	12am

### Location

Applications for club licences are permitted anywhere in the Palmerston North City territorial area, subject to also complying with any restrictions in the Palmerston North District Plan on the location of activities involving the sale of alcohol.

### Discretionary conditions

No discretionary conditions have been identified.



**REVIEW:** The Council will review this policy two years after it comes into effect.

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## PALMERSTON NORTH LOCAL ALCOHOL POLICY 2020

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### Explanatory Notes

## Introduction

The purpose of this document is to summarise the key matters that the Council has considered in the development of the draft Local Alcohol Policy (LAP).

### Sale and Supply of Alcohol Act 2012

The Sale and Supply of Alcohol Act 2012 sets out specific matters that the Council must have regard to when developing a local alcohol policy, namely:

- (a) the objectives and policies of its district plan; and
- (b) the number of licences of each kind held for premises in its district, and the location and opening hours of each of the premises; and
- (c) any areas in which bylaws prohibiting alcohol in public places are in force; and
- (d) the demography of the district's residents; and
- (e) the demography of people who visit the district as tourists or holidaymakers; and
- (f) the overall health indicators of the district's residents; and
- (g) the nature and severity of the alcohol-related problems arising in the district.

Council officers prepared a research report which collated the best available information in each of these matters, to ensure that the Council was able to have regard to this information when developing the draft LAP. This report is available on the Council's website

<https://www.pncc.govt.nz/get-involved/have-your-say/draft-local-alcohol-policy/>

### Public consultation

The Council consulted on the initial draft LAP between 26 October and 13 December 2019 and received 73 written submissions. Public hearings were held for oral submissions on 25 February 2020. The Council deliberated on those submissions in August 2020.

Where specific points made by submitters have informed the Council's decisions on restrictions in the draft LAP, these have been noted in this document.

## Explanatory Notes

The following sections provide an overview of the Council's rationale for proposing the specific restrictions in each section of the draft LAP.

### On-licences

#### Trading hours

The trading hours for on-licensed premises are split into two groups. The first group - taverns, hotels and class 1 restaurants (with a bar area operated as a tavern) – includes licensed premises that are principally focussed on the sale of alcohol for consumption on site. The second group includes all other on-licensed premises, such as function centres, cinemas, theatres and class 2 and 3 restaurants. Licensed premises in the second group typically include the sale of alcohol as an adjacent activity, such as with a meal in a restaurant or a café, while attending a film or theatre production, or as part of a conference or other event at a function centre. This distinction between the two groups of on-licensed premises underpins the different sets of maximum trading hours. Where premises are principally geared towards the sale of alcohol the later hours are permitted.

The research report prepared for the development of the draft LAP did not identify any particular concerns about alcohol-related harm arising from the sale of alcohol from on-licensed premises. This does not mean that no alcohol-related harm is attributable to on-licensed premises, simply that there was not enough local evidence to suggest that a reduction in trading hours for on-licensed premises would minimise alcohol-related harm.

Notwithstanding the lack of evidence, the earlier draft LAP proposed a reduction in trading hours for on-licensed premises according to District Plan zones. That proposal was based on an intention to address preloading by reducing trading hours proportionally across all licensed premises, to encourage people who chose to drink to do so in on-licensed premises which are supervised, instead of drinking at home in unsupervised locations.

Submitters to the earlier draft LAP were not persuaded by this argument, and suggested that if trading hours for on-licensed premises were reduced then this would likely increase rather than decrease preloading, as people would prefer not to come into licensed premises an hour earlier and would drink more at home instead. In response to these submissions the Council has proposed setting the maximum trading hours for on-licensed premises (taverns, hotels and class 1 restaurants) at 8am to 3am. This effectively maintains the status quo for many bars but sets an upper limit for trading hours that would otherwise be 4am (the default national maximum trading hours) if no local alcohol policy was in force.

#### Location

In considering whether to include location restrictions in the LAP, the Council noted that the District Plan already restricts the location of commercial activity in certain zones. Licensed premises may be required to gain consent under the District Plan depending on the zone in which they are to be located.

The Council considered a range of possible location restrictions but chose not to include any location restrictions for on-licensed premises in the Local Alcohol Policy. For both on- and off-licensed premises, consideration was given to whether there was an argument for restricting licensed premises in close proximity to education facilities. There are 10 locations where an on-licensed premises is within 100m of a school. Of those 10 locations, three included a bar or tavern, the rest were cafes or restaurants. There are 11 locations where an off-licensed premises is within 100m of a school. Of those 11 locations, five are grocery stores, four are supermarkets, and three are bottle

stores. However, none of these examples suggested a particularly strong association between the location of the licensed premises and alcohol-related harm, and no evidence was found to suggest that those locations cause a disproportionately high level of alcohol-related harm.

During the public consultation process on the earlier draft LAP, several submitters suggested that the draft LAP should restrict licensed premises in residential areas. Arguments were also given for restricting the location of new licensed premises in close proximity to “sensitive sites”, with one submitter noting that this would be a “future proofing” measure. Examples of sensitive sites that could be included in this restriction include early childhood centres, primary and secondary schools, marae, places of worship, alcohol treatment centres, and children’s parks/playgrounds. Views differed on how a location policy should be applied, with one submitter suggesting that the policy should simply require that the District Licensing Committee “have regard” to the proximity of a new licensed premises to sensitive sites (rather than a fixed distance). Another submitter suggested a distance of 100m from any sensitive site would be appropriate. A further submitter noted that the majority of draft LAPs contained restrictions on licensed premises around sensitive sites, such as requiring impact reports, consulting neighbours, or stipulating a specific distance of separation ranging from 50m to 500m.

The Council considered the issues raised by submitters regarding location restrictions but did not identify any new local evidence or information that would support the inclusion of location restrictions.

#### **One-way door restrictions**

A mandatory one-way door restriction applies to all on-licensed premises that trade beyond 2am. The one-way door restriction prevents any person from entering, or re-entering if they have left, the licensed premises from 2am.

While the initial draft LAP did not include a one-way door restriction, this was introduced in the revised draft LAP as a companion to setting maximum trading hours for hotels, taverns, and class 1 restaurants (with a bar area operated as a tavern) at 3am.

In deciding to include a one-way door restriction the Council considered the impact on alcohol-related harm of permitting bars to trade until 3am. As already noted, while the research report did not identify any particular concerns about alcohol-related harm arising from the sale of alcohol from on-licensed premises, this does not mean that no alcohol-related harm is attributable to on-licensed premises. A one-way door restriction enables the premises to continue operating until 3am, but the one-way door restriction limits the number of new people who can enter the premises from 2am, which is expected to minimise alcohol-related harm by limiting the number of people who could reach intoxication towards the end of trading.

Some submitters on the initial draft LAP expressed views on one-way door restrictions and were generally supportive. The Council has had regard to these views in deciding to include a one-way door restriction in the revised draft LAP.

#### **Discretionary conditions**

In determining whether to identify discretionary conditions for on-licensed premises, the Council had regard to the fact that discretionary conditions, by their very nature, cannot be made mandatory. The identification of any such conditions, therefore, serves only as advice rather than direction to the District Licensing Committee. The absence of discretionary conditions from this policy does not limit the ability of the Committee to impose any such condition it thinks appropriate to apply to a licence application.



Several submitters encouraged the Council to include discretionary conditions in the LAP and identified a wide range of conditions they recommended to the Council. Examples of discretionary conditions that related to on-licensed premises included:

- Prohibiting the sale of certain products.
- No “shots” or straight spirits/liqueurs to be served during the last hour of trading/after 12am.
- Licensees to be responsible for cleaning litter, vomit and broken glass within 50 metres of premises.
- Restricting use of outdoor areas for drinking and dining after a specified hour.
- Use of adequate CCTV coverage of specified areas.
- Use of adequate lighting around entrances and exits.

Although these or other conditions may be appropriate in some circumstances, the Council remained unpersuaded that there was a particular advantage to including discretionary conditions in the LAP. Under section 117 of the Sale and Supply of Alcohol Act 2012 the District Licensing Committee is free to issue any licence subject to any reasonable conditions not inconsistent with the Act.

## Off-licences

### Trading hours

The maximum trading hours for off-licensed premises are restricted to 7am to 9pm. The earlier draft LAP set the maximum trading hours at 7am to 10pm. The further reduction in trading hours for off-licensed premises is specifically targeted at reducing the harm arising from preloading.

Council had regard to research conducted by UMR Research for ACC on behalf of the Safety Advisory Board about preloading in Palmerston North. This local evidence clearly identified the patterns of behaviour around preloading, providing a useful base for setting maximum trading hours for off-licensed premises.

The more restrictive maximum trading hours included in the revised draft LAP are largely in response to the concerns raised by submitters on the initial draft LAP. Submitters questioned the validity of reducing trading hours across all licensed premises, when preloading is primarily caused by accessibility to alcohol from off-licensed premises. Responding to this issue, the Council decided to set the maximum trading hours for all off-licensed premises at 7am to 9pm. The expected effect of this restriction is to limit the availability of alcohol for people purchasing alcohol to consume at home, which may reduce the opportunity for alcohol-related harm arising from preloading.

Council also had regard to other supporting factors, including data supplied by Police (and included in the Council's research report) that showed an increase in the number of assaults in a residential location (indicating an association between violence and alcohol consumed in the home).

The objectives of the District Plan were also considered. These objectives attempt to balance the contribution to the city of activities involving the sale of alcohol, including both social and economic contributions, with the incompatible effects that this activity can sometimes generate. The District Plan objectives reflect the resource management issues for the city and represent the broad outcomes the plan seeks to achieve, in particular:

- "A wide range of business and economic activities are provided for."
- "The City Centre remains the primary focus for retail, office, commercial and cultural activities within the City. Other commercial centres will be planned to ensure that they support the primary role and function of the City Centre."
- "A broad range of recreation and leisure opportunities are provided for in the City which contribute towards an enhanced quality of life."
- "Appropriate noise standards are in place to protect noise sensitive activities".

### Location

In considering whether to include location restrictions in the LAP, the Council had regard to the District Plan, which already restricts the location of commercial activity in certain zones. Licensed premises may be required to gain consent under the District Plan depending on the zone in which they are to be located.

The Council gave specific consideration to possible types of location restriction but chose not to include any location restrictions for off-licensed premises in the Local Alcohol Policy. For both on- and off-licensed premises, consideration was given to whether there was an argument for restricting licensed premises in close proximity to education facilities. There are 10 locations where an on-licensed premises is within 100m of a school. Of those 10 locations, three included a bar or tavern, the rest were cafes or restaurants. There are 11 locations where an off-licensed premises is within 100m of a school. Of those 11 locations, five are grocery stores, four are supermarkets, and three

are bottle stores. However, none of these examples suggested a particularly strong association between the location of the licensed premises and alcohol-related harm, and no evidence was found to suggest that those locations were causing a disproportionately high level of alcohol-related harm.

Council also gave consideration to a restriction on any new bottle store being located in areas with a deprivation (NZDep2013) score of 8, 9, or 10, or restricting any new off-licensed premises being located within 100m of an existing off-licensed premises.

Analysis of the location of existing licensed premises by deprivation score showed a disproportionately high number of bottle stores located in high deprivation areas. This analysis excluded the PN Central census area unit (CAU), which broadly aligns with the CBD, because the commercial character of the CBD makes an unfair comparison with other CAUs which have a more residential or suburban character. Based on this analysis, the Council found that though only 9% of cafes or restaurants, and only 25% of bars or taverns, were in high deprivation areas, 75% of bottle stores were in high deprivation areas.

Further analysis of the location of existing licensed premises shows that 12 of the 38 off licences are clustered in five locations (excluding the CBD). There are 21 on-licenses clustered in eight locations (excluding the CBD). This location analysis shows that off-licensed premises are nearly twice as likely to cluster or create a potential nexus of alcohol availability. This is potentially concerning because it creates a potential for price competition amongst those premises close to each other. Despite these justifications, there are a number of valid counter-arguments:

No evidence was identified which showed a strong relationship between bottle stores located in high deprivation areas and alcohol-related harm, more than a bottle store in any other part of the city. While some people may point to a general undesirability of bottle stores in high deprivation areas, the Council was unable to identify evidence which showed a direct increase in alcohol-related harm.

Additionally, while bottle stores were found to be disproportionately located in high deprivation areas when compared to other business types, officers were unable to identify evidence that suggested that bottle stores were inherently more likely to generate alcohol-related harm than other types of licensed premises.

The compact geography of the City makes any location restrictions, and the general association between outlets and alcohol-related harm, difficult to support. Based on the current number and location of licensed premises, most of the City is within 15 minutes' walk or five minutes' drive of an on- or off-licensed premises. It becomes difficult to argue in support of restricting the location of premises, either by reference to deprivation or by reference to other licensed premises, if it remains possible to easily access other existing licensed premises either by vehicle or on foot.

During the public consultation process on the earlier draft LAP, several submitters suggested that the draft LAP should restrict licensed premises in residential areas. Arguments were also given for restricting the location of new licensed premises in close proximity to "sensitive sites", with one submitter noting that this would be a "future proofing" measure. Examples of sensitive sites that could be included in this restriction include early childhood centres, primary and secondary schools, marae, places of worship, alcohol treatment centres, and children's parks/playgrounds. Views differed on how a location policy should be applied, with one submitter suggesting that the policy should simply require that the District Licensing Committee "have regard" to the proximity of a new licensed premises to sensitive sites (rather than a fixed distance). Another submitter suggested a distance of 100m from any sensitive site would be appropriate. A further submitter noted that the majority of draft LAPs contained restrictions on licensed premises around sensitive sites, such as requiring impact reports, consulting neighbours, or stipulating a specific distance of separation ranging from 50m to 500m.

Most submitters did not draw any specific distinction between location restrictions for different licence types, but one submitter specifically singled out bottle stores in low income communities. The submitter was concerned that bottle stores in these locations make alcohol easily available to high risk people and normalise alcohol for children especially when located near food stores.

The Council considered the issues raised by submitters regarding location restrictions but did not identify any new local evidence or information that would support the inclusion of location restrictions.

#### **Discretionary conditions**

In determining whether to identify discretionary conditions for off-licensed premises, the Council had regard to the fact that discretionary conditions, by their very nature, cannot be made mandatory. The identification of any such conditions, therefore, serves only as advice rather than direction to the District Licensing Committee. Omitting discretionary conditions from this policy does not limit the ability of the Committee to impose any such condition it thinks appropriate to apply to a licence application.

Several submitters encouraged the Council to include discretionary conditions in the LAP and identified a wide range of conditions they recommended to the Council. Examples of conditions that related to off-licences included:

- Controls around the amount of alcohol advertising that is visible within 500m from schools and early childhood facilities.
- Restrict the sale of single alcoholic beverages from off-licensed premises such as RTDs (ready to drink beverages) to assist with compliance with liquor bans and to reduce preloading and sideloading.
- No sales to persons wearing a school uniform.

Although these or other conditions may be appropriate in some circumstances, the Council remained unpersuaded that there was a particular advantage to including discretionary conditions in the LAP. Under section 117 of the Sale and Supply of Alcohol Act 2012 the District Licensing Committee is free to issue any licence subject to any reasonable conditions not inconsistent with the Act.

## Club licences

### Trading hours

The maximum trading hours for club licences are restricted to 8am to 12am the following day. The Council had regard to the usual trading hours of existing club licences. While seven of the 25 clubs in Palmerston North (at August 2019) have a licence to trade past midnight, very few trade as late as that on a regular basis.

The Council also had regard to the objectives of the District Plan and how these objectives impact on the operation of licensed premises. These objectives attempt to balance the contribution to the city of activities involving the sale of alcohol, including both social and economic contributions, with the incompatible effects that this activity can sometimes generate. The District Plan objectives reflect the resource management issues for the city and represent the broad outcomes the plan seeks to achieve, in particular:

- “A wide range of business and economic activities are provided for.”
- “The City Centre remains the primary focus for retail, office, commercial and cultural activities within the City. Other commercial centres will be planned to ensure that they support the primary role and function of the City Centre.”
- “A broad range of recreation and leisure opportunities are provided for in the City which contribute towards an enhanced quality of life.”
- “Appropriate noise standards are in place to protect noise sensitive activities”.

### Location

In determining whether to place restrictions on the location of club licensed premises, the Council had regard to the District Plan, which already restricts the location of commercial activity in certain zones. Licensed premises may be required to gain consent under the District Plan depending on the zone in which they are to be located.

Council also had regard to the current location of club licensed premises in Palmerston North. Clubs are generally different from other licensed premises. While there is a notable clustering of on-licensed premises within the central city area, club licences are more dispersed throughout the city. This is likely due to clubs being located close to the activity associated with the club (for instance, sportsfields or other sporting facilities). There is no evidence to suggest that restricting the location of clubs in Palmerston North is likely to have any impact on alcohol-related harm.

### Discretionary conditions

In determining whether to identify discretionary conditions for club-licensed premises, the Council had regard to the fact that discretionary conditions, by their very nature, cannot be made mandatory. The identification of any such conditions, therefore, serves only as advice rather than direction to the District Licensing Committee. Omitting discretionary conditions from this policy does not limit the ability of the Committee to impose any such condition it thinks appropriate to apply to a licence application.

Several submitters encouraged the Council to include discretionary conditions in the LAP and identified a wide range of conditions they recommended to the Council. One example of a discretionary condition suggested by a submitter that related to club licences was a requirement for a qualified duty manager to be on site when alcohol is being sold or supplied during higher-risk periods.

Although this suggested condition or others may be appropriate in some circumstances, the Council remained unpersuaded that there was a particular advantage to including discretionary conditions in the LAP. Under section 117 of the Sale and Supply of Alcohol Act 2012 the District Licensing Committee is free to issue any licence subject to any reasonable conditions not inconsistent with the Act.

CONSULTATION DRAFT

## Special licences

### Hours and location

The LAP does not restrict the maximum trading hours for a special licence or impose location restrictions. In determining what the maximum trading hours should be for special licences in Palmerston North, or whether there should be location restrictions, the Council had regard to the particular need that special licences meet, primarily providing for exceptions to ordinary licensing provisions for events. Limiting either the hours or locations that special licences could be used would significantly diminish their utility.

Only one submitter on the initial draft LAP commented on the maximum trading hours for special licences, suggesting they should be limited to 3am, but they did not identify any particular evidence or reasoning to support that suggestion.

### Discretionary conditions

In determining whether to identify discretionary conditions for club-licensed premises, the Council had regard to the fact that discretionary conditions, by their very nature, cannot be made mandatory. The identification of any such conditions, therefore, serves only as advice rather than direction to the District Licensing Committee. Omitting discretionary conditions from this policy does not limit the ability of the Committee to impose any such condition it thinks appropriate to apply to a licence application.

Several submitters encouraged the Council to include discretionary conditions in the LAP and identified a wide range of conditions they recommended to the Council. Examples of discretionary conditions suggested by submitters that related to special licences included:

- Restricting the number of alcoholic beverages supplied to a single patron
- Restricting the use of certain types of drinking vessels
- Requiring the licensed area to be clearly defined and cordoned off.

Although these suggested conditions or others may be appropriate in some circumstances, the Council remained unpersuaded that there was a particular advantage to including discretionary conditions in the LAP. Under section 117 of the Sale and Supply of Alcohol Act 2012 the District Licensing Committee is free to issue any licence subject to any reasonable conditions not inconsistent with the Act.

## Draft Local Alcohol Policy 2020 - analysis of submissions received

### **A summary and analysis of issues raised by submitters in written submissions received between October and December 2019, and oral submissions received in February 2020.**

#### Introduction

The draft Local Alcohol Policy included proposals for restricting alcohol licensing across the five areas identified in the Sale and Supply of Alcohol Act. This summary and analysis identifies the key issues raised by submitters in each of these five areas, together with other matters raised during the consultation process. This document should be read together with the full text of the written submissions, which are available to read on the Council website <https://bit.ly/39dNExx>. Following discussion of the issues raised by submitters, this document provides a recommendation to the Community Development Committee on how the Council should respond to the issues raised by submitters.

#### Issuing of further licences

The draft LAP did not propose restricting the issuing of further licences. Research conducted to inform the development of the draft LAP failed to identify any evidence that the number of licences, or types of licences, is growing at a concerning rate. In 2016 there were a total of 182 licences, and in 2019 there were a total of 185 licences, an increase of just three additional licences. Although a number of outlets closed or opened over that time, the total count of licensed premises did not rise substantially. This provided the justification for not imposing a restriction on the issuing of further licences.

#### Submission analysis

Approximately 44 of the 73 submissions expressed support<sup>1</sup> for the proposal to not restrict the issuing of further licences. Conversely, 13 submitters expressed opposition, while 16 expressed no clear view on the proposal.

Arguments in support of the proposal included that more bars and pubs are needed to ensure a vibrant nightlife, with several submitters pointing to the large student population in our City. Others noted that there is insufficient evidence to support the imposition of restrictive policies on issuing further licences, and that restricting licences results in an anti-competitive retail space and minimise the opportunity for innovation.

Arguments in opposition included concern that alcohol is too available, and that the number of new licences per capita should be kept relatively constant. It was suggested by one submitter that new licences should be issued only if others had expired or the city had grown. Another submitter commented that for on-licences, density in inner city entertainment areas is significant in terms of violence and assaults. They asserted that bar and nightclub density has a significant positive association with all categories of police events and motor vehicle accidents. Therefore, they suggested the policy should restrict the number of on-licences premises. Some submitters observed that the City does not need more alcohol outlets, and one submitter argued for an end to issuing

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<sup>1</sup> Based on a sentiment analysis. Some submitters indicated on their form that they opposed the proposal, but the text of their submission contradicted this position. Where it is reasonably clear what position a submitter is advocating they have been included as either in support or opposition to the proposal. Where it is not clear, or not expressed, they are included as "don't know/no opinion."



licences, switching instead of educating the community about the harm caused by alcohol, and advocating for healthier choices.

Some submitters focussed on off-licensed premises in particular. They argued for a policy to limit the density of off-licences outside the CBD, observing that where premises cluster together in low income suburban areas, competition between outlets leads to lower prices and longer trading hours, which stimulates demand and contributes to alcohol-related harm, including domestic violence, anti-social behaviour and sexual offences. Therefore the policy should restrict the number of off-licensed premises. One submitter commented that there is an accumulating body of evidence showing that off-licences are associated with greater levels of harm in deprived areas compared to least deprived areas. Therefore, they argued, the policy should impose a cap on the number of off-licence bottle stores permitted in areas of high socio-economic deprivation (deciles 8-10).

Submitters who support the proposal are principally concerned that licensed premises are not prevented from opening, and that any such restrictions do not limit choice or variety.

Submitters who oppose the proposal seek some kind of limit on the total number of licences. While there are concerns about the impact of density of types of licence on alcohol-related harm, none of the submitters were able to identify evidence or data of this relationship specific to Palmerston North. Reference was made to Michael Cameron's outlet density study<sup>2</sup>, which found some positive relationships between alcohol outlet density and alcohol-related harm. However, this study was included in the research report that informed the development of the draft LAP. Officers were not persuaded that this study provided a strong enough basis for placing broad restrictions on the issuing of further licences.

References to the density of off-licence premises, particularly bottle stores, illustrate this issue clearly. While a desktop review may show a positive association between number of outlets and harm, there are very few locations in the City where more than two off-licence premises are located in close proximity; most of these clusters include a bottle store with a supermarket or grocery store, which cater to different parts of the market and offer different products. There has been no evidence of price competition arising because of density issues within Palmerston North. Furthermore the compact geography of the City negates many of the location concerns, when travel times make it easy to go to a different premises regardless of location.

#### Options

The following options have been identified for consideration by Councillors:

1. No further change – retain the current proposal to not restrict the issuing of further licences.
2. Impose a cap on the total number of licences. This could be capped at the total number currently issued. However, this would not have sufficient nuance around the type of licence, and would permit new licences to be issued as existing licences were forfeited, and could result in an "imbalance" of one type of licence over another.
3. Impose a cap on the total number of off-licences. Most people concerned about the total number of licences appear to be more concerned about off-licences. This type of cap could be further focussed on off-licence bottle stores (which are exclusively focussed on the sale of alcohol only).

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<sup>2</sup> This is likely a reference to the research conducted by Cameron, Cochrane, Gordon and Livingston in 2013 titled "The locally-specific impacts of outlet density in the North Island of New Zealand 2006-2011."

4. Impose a “per capita” cap (either generally or by type of licence). This approach would allow the number of licences to grow as the City grows, but could be complex to implement as it would require decisions on whether to issue a new licence to be subject to population projections.

#### Recommendation

**Officers recommend that no further change be made to this proposal, and that the draft LAP does not restrict the issuing of further licences.** There is little to no specific data to support a strong association between the number of licensed premises and alcohol-related harm in Palmerston North. Such evidence would be needed to justify any change.

Officers note that the total number of licences has increased moderately in the years since the first development of a draft LAP. In the absence of significant growth of the number of licensed premises, there seems to be little justification for a cap at this time. With the draft LAP proposed to be reviewed within two years, there is also an opportunity to revisit this proposal if there is later found to be unchecked growth in the sector.

If the Committee wanted to impose a limitation then a case could be made for capping the number of licences for bottle stores and wholesalers. This would enable growth in the number of supermarkets and grocery stores, which provide a valuable service to local communities for grocery and household items, whilst limiting the growth of off-licences with a singular focus on alcohol. Consideration would also need to be given to whether this would include remote selling. However, if such a restriction were imposed, Council would likely need to re-consult with the community as this proposal is substantially different from that which was initially proposed.

#### Trading hours

The draft LAP proposed to set maximum trading hours that were different from those provided for in the Sale and Supply of Alcohol Act 2012. The table below summarises the key aspects of the proposal.

	Location	Hours
On-licence premises (e.g. bars, pubs taverns, cafes, restaurants)	Inner, outer, fringe and local business zones, and industrial zone	8am to 2am the following day
	Any other zone	8am to 12am the following day
Off-licence premises (e.g. bottle stores, supermarkets, grocery stores)	All zones	7am to 10pm
Club licence premises (e.g. RSAs, sports clubs)	All zones	8am to 12am the following day

The main arguments supporting the proposal in the draft LAP related to the small number of licensed premises trading beyond 2am (14 out of 122 on-licensed premises) and the small number of people who purchased alcohol from an on-licensed premises between 2am and 3am (4% according to a Health Promotion Agency research project). This was taken as supporting an incremental reduction in trading hours. Further, the proposed reductions in trading hours were part of a consistent reduction in trading hours across the entire sector, in an attempt to reduce availability of alcohol at later hours and discourage people from consuming alcohol in unsupervised premises (i.e. alcohol purchased from an off-licensed premises).

### Submission analysis

Of 73 submissions, 18 were in support of the proposed reduction in trading hours. An additional submitter generally supported the proposed reduction in trading hours for on-licences but opposed the proposed reduction in trading hours for off-licences. Fifty-three submissions were opposed to the proposed trading hour reductions. One submitter did not express a clear view on this issue.

### **On-licence trading hours**

Those submitters supporting the proposed trading hours argued that the reduction in trading hours amounted to reduction in availability, which led to a reduction in alcohol-related harm. Extending this further, some submitters argued for a further restriction of trading hours from 2am to 1am, on the basis that it would reduce harm further, consistent with the purpose of the Sale and Supply of Alcohol Act to “minimise alcohol-related harm.” Submitters noted that most alcohol-related harm occurs after 3am, supporting earlier hours or staggered closing times. One submitter argued that premises in the Local Business Zone should close at 12am instead of 2am, as the local business zone often is adjacent to residential zones, leading to a reduction in amenity for people living in residential zones from the potential for increased noise and other alcohol-related nuisance.

Most submitters expressed opposition to the proposed trading hours for on-licensed premises. The majority of their arguments revolved around the Police-initiated trial of voluntary closing at 2am in 2017, the impacts on the earlier closing for function centres outside the business zones, and the economic impacts such as loss of earnings or employment. These arguments are explored in more detail below.

Other arguments included the need for flexibility, noting that being able to trade until 3am reduced the need for complicated and costly special licences for events and functions throughout the year. A number of submitters noted that as workers in the hospitality industry themselves they were affected by a reduction in trading hours in two ways – through loss of earnings from shorter working hours, and reduced opportunities to socialise at bars and taverns when they finished work. Some submitters also drew attention to the evidence in the research report which showed little evidence of a problem, and that the lack of evidence showed that most licensed premises operators were responsible and complying with the Act.

### *2am voluntary trial*

Many submitters referred to this trial in both written and oral submissions, though there appears to be a misconception that the trial was initiated by the Council. The 2am trial was an initiative led by the NZ Police in 2017. The proposal was for on-licensed premises to voluntarily close their premises at 2am for a period of six months. This coincided with the initial development of the first draft Local Alcohol Policy, but was not directly associated with the Council. Most on-licensed premises participated in the trial, though some feedback from licensees suggests that participation was not entirely willing and some felt pressured to participate.

Many people expressed frustration with the lack of evidence following the completion of the trial. This left a data vacuum which was filled by anecdotal reports of the effectiveness or otherwise of the trial. Common observations from licensees, some of which are expressed in submissions, are that alcohol-related harm appeared to increase rather than decrease. Submitters speculated that this was because people preloaded more because the closing time was reduced.

Some submitters noted that even though they were not directly affected by the 2am trial, with their licence already restricted to 2am, they saw a drop in patronage because their customers went directly to the venues that would be open to 3am normally, but would be shut earlier as a result of the trial. They argued this led to an unexpected drop in earnings for those premises.

Other submitters contended that the 2am closing pushed more patrons onto the streets at the same time than would otherwise happen if some premises closed at 3am. This concentration of people increased the rates of violence and disorder, rather than decreasing alcohol-related harm.

One bar that did not participate in the voluntary 2am trial reported that their turnover and patronage did not decline. However, they did introduce a one-way door policy from 2am, in response to the impact of the voluntary trial as the large number of people unable to stay at other venues in the CBD had nowhere else to go to continue drinking.

#### *Function centres*

The impact of the proposed reduction in trading hours for licensed premises located outside the business and industrial zones was noted by many submitters, particularly with reference to function centres such as Orlando Country Club and the Awapuni Racecourse. They were supported by the Manawātū Chamber of Commerce and the Business Improvement District (BID), pointing to the potential loss of earnings for those venues, with flow-on impacts for the wider district and region through the predicted loss of functions such as conferences and other events, including for restaurants, cafes and hotels/motels. The proposed 12am closing was described as having a cascading effect, requiring those venues to limit their effective operating hours to 11pm to provide sufficient time for the venue to be closed safely and their customers transported home (with many function centres located outside of the main urban area of Palmerston North). This further reduction in the operating hours, submitters argued, made it impractical to market their function centres as many event organisers would look for function centres which could trade until 1am or later, even if their events were not planned to continue that late.

Some submitters also observed that the Palmerston North Conference and Function Centre, being located in the business zone, is not restricted to 12am trade. They questioned whether the Council-owned venue was being given an advantage (however unintentional) over privately-owned function centres.

Concern was also expressed about the difficulty in organising transport for people from these function centres at 12am. Submitters noted that a limited supply of taxis in the City made competition for transport difficult when venues closed at the same time and could exacerbate problems with crowds waiting for transport. Other submitters also noted that many people attending an event at a function centre would deem 12am too early to go home, and instead would head into the City where there would be an increased risk of alcohol-related harm.

#### *Economic impact*

A number of submitters raised concerns about the economic impact of the proposed reduction in trading hours, building on the concerns raised above in regards to the impact of the proposed changes on function centres in particular.

Many submitters, mostly licensees, were concerned that reducing trading hours would have a significant impact on the viability of their business. They referred to the 2am voluntary trial in 2017 where they observed a reduction in turnover, and the specific impacts for function centres especially if event organisers choose other districts or regions to host their events. In its submission,

Hospitality NZ estimated the potential loss of turnover for a convention centre at \$420,000 per annum, not including “the loss to related accommodation providers, on-licensed premise losses and the loss of custom to restaurants and cafes around the time that the event takes place.”

Additionally, officers recognise the economic impact of the national response to the COVID-19 pandemic, particularly the loss of trade for much of the hospitality sector during Alert Level 4 lockdown. A summary of the impacts of COVID-19 are provided later in this report, which identifies both the economic impact and the alcohol-related harm impacts arising from the pandemic response, so far as practical. Officers acknowledge that the full impact of the pandemic response will not be known for many months or even years.

It should be noted that the Alcohol Regulatory Licensing Authority (ARLA) has ruled on the inclusion of considerations beyond those permitted by the Act in the development of local alcohol policies. The most notable was during the appeal against the Wellington City Council draft LAP. ARLA ruled that the inclusion of policies in the draft LAP related to the “dynamic central city” and the “people centred city” are *ultra vires*. “The contents of S77 [which relate to the content of a local alcohol policy] are all related in general terms to the safe and responsible consumption of alcohol and the minimisation of alcohol-related harm. They have nothing to do with the wider concerns expressed in the PLAP [Provisional Local Alcohol Policy] of creating a ‘dynamic central city’ and a ‘people centred city.’” Further, “a PLAP should not be based upon such considerations but only upon an attempt to further the object of the Act as set out in S4.” Therefore, the Council needs to be very careful when considering whether the draft LAP should be influenced by economic impacts on licensed premises. The following information about economic impacts is included for completeness, and to present a full picture of the issues raised by submitters. Officers advise that caution should be exercised when determining how to respond to these concerns with respect to any modifications to the draft LAP.

#### *Preloading*

Many submitters commented on the issue of preloading, highlighting the interaction between the proposed trading hours for on- and off-licensed premises. In relation to on-licensed premises, many submitters were not persuaded that reducing on-licensed trading hours would have a positive impact on preloading. Submitters commented that, in their opinion, reducing on-licensed trading hours would likely encourage *more* preloading as people either chose not to come into town if the hours were reduced, or chose to drink more at home to make up for less time to drink while in town. Many identified price differential as the key driver for preloading, with supermarkets and bottle stores able to sell alcohol much cheaper than most on-licensed premises, coupled with the perceived availability of off-licensed premises.

#### *Opening hours*

Only one submitter directly addressed the issue of when on-licensed premises should be permitted to start trading. The submitter observed that few on-licensed premises are selling alcohol as early as 8am, but instead many bars that having gaming machines are primarily open for gambling activity

#### Options

There are several options for the Committee to consider regarding on-licensed trading hours:

1. No change – retain the proposed trading hours as presented in the consultation document, with premises within the business and industrial zones able to trade between 8am and 2am, and premises outside those zones able to trade between 8am and 12am.
2. Introduce a later opening hour – instead of premises being able to open at 8am, restrict premises to only opening from 10am (for instance). This could be applied to all on-licences, or limited to only bars/taverns (accepting that cafes and restaurants typically sell alcohol as part of a meal).
3. Permit all on-licences to open until 3am – this would remove the proposed reduction in trading hours and confirm the *de facto* maximum trading hours currently in place in the City. While the default national maximum trading hours (8am – 4am) currently apply, no premises has a licence to trade later than 3am. This option could be coupled with a new requirement for a one-way door policy for on-licensed premises (either universally or for certain areas such as the CBD).
4. Restrict on-licences to 1am. This could be applied to all on-licences, or applied to a specific type of licences (for instance, function centres).
5. Create a combination of maximum trading hours – for instance, 2am or 3am for bars/taverns, and 1am for function centres.

If Councillors support the proposed reduction to 2am for on-licensed premises in the business and industrial zones, and 12am for premises outside those zones, then option 1 is the best option.

However, if Councillors do not support the proposed reduction in the maximum trading hours then option 3 may be a suitable compromise. This would formalise the *de facto* current maximum trading hours of 3am for all on-licensed premises, to prevent the possibility of new licences being issued for trading until 4am under the default national maximum trading hours set out in the Act. If this was coupled with a mandatory one-way door restriction from 2am, it would restrict new patrons from entering licensed premises from 2am but permit them to remain on premises until closing time at 3am.

Option 3 could be varied by limiting maximum trading hours of 3am to those on-licences which operate as a bar or tavern (specifically, hotels, taverns, and Class 1 restaurants with a bar area operated as a tavern). All other on-licence business types, including class 2 and 3 restaurants, cinemas and theatres, and function centres could be limited to 1am<sup>3</sup>. This limits the scope of permitting trading until 3am, and taken together with a 2am one-way door restriction would balance the ability of responsible operators to trade while limiting accessibility of alcohol late at night.

If Councillors were in favour of this proposal, then further consultation with the community would be recommended. The effect of allowing trading until 3am for bars and taverns, the introduction of a one-way door restriction from 2am, and limiting all other licences to 1am would be significantly different to the Council's original proposal. It would be prudent for officers to prepare a new consultation document that reflects these proposals and give the community and affected parties the opportunity to make a submission.

#### Recommendation

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<sup>3</sup> The Manawatū Harness Club has an on-licence to trade until 1.30am on Saturdays, and operates as a function centre. The Palmerston North Conference and Function Centre has a licence to trade until 3am. No other function centres are licensed to trade beyond 1am.

**Officers recommend that the draft LAP be changed and the maximum trading hours for on-licensed premises be set at 3am for hotels, taverns and class 1 restaurants, and 1am for all other on-licensed premises.**

This recommendation represents a number of changes to the way that trading hours are restricted. Firstly, reference to District Plan zones is removed, and instead the maximum trading hours are set by reference to type of business (e.g. hotels, taverns, and restaurants). This recognises that suitable hours of trading may be better related to the type of business operating than the location.

Secondly, the hours proposed are more permissive than those proposed in the consultation document. In the draft LAP the maximum trading hours proposed were 2am for all on-licensed premises in business or industrial zones, and 12am for on-licensed premises in any other zone. Officers acknowledge this, taking on board comments made by submitters that using preloading as a justification for reducing on-licensed premises trading hours may not be justifiable. Therefore, the recommendation is to set the maximum trading hours for hotels, taverns and class 1 restaurants (with a bar area operated as a tavern) at 3am. These types of premises represent those which are more likely to operate a bar with a primary focus on the sale of alcohol. The maximum trading hours stipulated in the policy do not entitle any existing premises to increase their licensed trading hours, and the DLC may set more restricted hours than those identified in the policy.

For all other on-licensed premises the maximum trading hours are set at 1am. With the removal of a location component (by District Plan zone), this is a less restrictive proposal for some on-licensed premises, though for most it represents no change, with 73 of 86 on-licensed premises already licensed to trade at 1am. Two on-licensed premises in this group would lose either 30 mins or 1 hour of trading. Thirteen existing on-licensed premises have a licence to trade until midnight or earlier, and theoretically would be able to apply for a licence to trade until 1am if this recommendation was accepted. However, as noted above, the maximum trading hours stipulated in the policy do not entitle any existing premises to increase their licensed trading hours, and the DLC may set more restricted hours than those identified in the policy.

This recommendation is made as part of a package that includes a mandatory one-way door restriction for any premises trading after 2am. This is intended to temper the effect of permitting trading to 3am, and recognises that although there is little evidence of significant alcohol-related harm as a result of existing licensed premises trading until 3am, any such harm could be minimised by limiting the opportunities for people to enter licensed premises after 2am.

### **Off-licence trading hours**

#### Opening hours

Few submitters addressed the question of when off-licensed premises should be permitted to open, but those that did objected to retaining the 7am opening permitted by the Act. Submitters commented that opening at 10am, for instance, would minimise harm through reducing the exposure of alcohol to children on their way from home to school. It would also aid those with alcohol dependence by limiting their accessibility to alcohol. A submitter also noted that the positive benefits from a later opening hour outweigh the loss of profits from the off-licence sector, and that economic impacts cannot be used as a justification regarding the chosen elements of a local alcohol policy.

#### Closing hours

Most submitters argued that the proposed closing hours for off-licensed premises were either not restrictive enough and suggested reducing trading hours further (e.g. to 9pm), or that the proposed reduction of one hours trading would affect very few premises so would have little impact. One submitter argued that even though their supermarkets did not trade past 10pm, they needed to be licensed to 11pm to allow for shoppers who may purchase near closing time, or to allow for seasonal variations in their trading hours.

Although relatively few submitters directly addressed the maximum trading hours proposed for off-licensed premises, many indirectly addressed it through the issue of preloading, and concern about the easy availability of cheap alcohol from off-licensed premises.

#### Options

1. No change – retain the proposed trading hours for off-licences of 10pm.
2. Further reduce the proposed trading hours for all off-licences to 9pm.
3. Reduce trading hours for some off-licences (e.g. supermarkets) to 10pm and further for other off-licences (e.g. bottle stores) to 9pm.

#### Recommendation

**Officers recommend that the draft LAP be changed and sets the maximum trading hours for off-licence at 7am to 9pm.** This recommendation is more restrictive than originally proposed in the draft LAP for consultation. It is recommended as part of a package alongside changing the trading hours for on-licensed premises, and including a mandatory one-way door restriction for premises trading past 2am.

The rationale for this recommendation is to have regard to the impact of preloading. Many submitters acknowledged the focus on preloading but argued that the reduction in trading hours for off-licensed premises initially proposed was unlikely to significantly affect preloading. By imposing stricter controls on maximum trading hours for off-licences, the expectation is that it will address availability of alcohol from on-licences and thereby minimise the alcohol-related harm arising from preloading. This recommendation would reduce the maximum trading hours of 84% of current off-licensed premises, with 32 out of 38 off-licensed premises currently trading beyond 9pm on Saturday nights. By contrast, the initial proposal to reduce maximum trading hours to 10pm would have only affected eight premises (21%).

Consideration was given to splitting trading hours between bottle stores and supermarkets. Arguments have been made that supermarkets sell alcohol as part of a wider grocery service, and that reduce trading hours impacts on their broader grocery service. However, officers did not believe that this represented a significant justification for permitting supermarkets to sell alcohol for an hour longer than other off-licensed premises. A reduction in maximum trading hours for alcohol does not prevent a supermarket or grocery store from continuing to open for non-alcohol sales.

#### **Club licence trading hours**

Very few submitters commented on the proposed reduction for club licence trading hours. Most supported the proposal to limit trading until 12am, though one submitter noted that restricting trading to 12am would affect the club's ability to extend their licence in the future if they wanted to host events past midnight. A further submitter proposed that clubs not be permitted to commence trading until 10am. They noted that club licences pose a risk for alcohol-related harm and should be subject to the same licensing controls and requirements as on-licences for which the primary revenue is not the sale of alcohol, such as restaurants.



### Recommendation

Submitters provided no specific new evidence to suggest that there is a significant problem associated with club licensed premises trading before 10am. Therefore, **officers recommend that no further change be made to this proposal, and that the draft LAP sets the maximum trading hours for club licences at 8am to 12am the following day.**

### **Special licence trading hours**

Only one submitter commented on the proposed trading hours for special licences, suggesting that special licences be limited to 3am but giving little evidence or argument in support of this suggestion. The argument that can be inferred from the suggested time is that without a limit on trading hours a special licence can be used to get around the limit on trading hours that would otherwise apply.

Officers have found no evidence that special licences have been used to routinely extend ordinary trading hours. The cost and process (which is set by the Act) act in part as a check against that kind of abuse, but still provide flexibility for genuine exceptions that are being sought, such as for special events.

### Recommendation

In the absence of any evidence to support a change, **officers recommend that no further change be made to this proposal, and that the draft LAP does not set maximum trading hours for special licences (i.e. 24 hours).**

### **Other matters**

One submitter noted that the way trading hours were described in the draft LAP, there was a possibility that if LAP was appealed, and the Alcohol Regulatory and Licensing Authority (ARLA) ruled that those trading hours were ruled unreasonable, then the whole element would be ruled out. By separating trading hours into earliest opening and latest closing hours, for each type of licence, it enables more specific decisions to be made by ARLA, without affecting other parts of the draft policy.

### Recommendation

Officers recommend **that the draft LAP be redrafted to separate the proposed maximum trading hours into earliest opening hours and latest closing hours for each type of licence.** Such a change would not require further consultation, and the effect and impact would be unchanged (unless a decision was also made to change the extent of the maximum trading hours proposed).

### Location

The draft LAP did not propose to include any location restrictions, though several possibilities were considered during the development of the policy. For instance, a restriction on new off-licensed premises within close proximity to existing off-licensed premises, or a restriction on bottle stores within high-deprivation areas. These location restrictions were not recommended because there was insufficient evidence of alcohol-related harm in the city being associated with bottle stores in high deprivation areas, while the compact geography of the City means places in the City are within 5 minutes' drive or 15 minutes' walk of an on- or off-licensed premises.

### Submission analysis

Several submitters made comment about the absence of location restrictions. Some suggested that the draft LAP should restrict licensed premises in residential areas. Arguments were also given for restricting the location of new licensed premises in close proximity to “sensitive sites”, with one submitter noting that this would be a “future proofing” measure. Examples of sensitive sites that could be included in this restriction include early childhood centres, primary and secondary schools, marae, places of worship, alcohol treatment centres, and children’s parks/playgrounds. Views differed on how a location policy should be applied, with one submitter suggesting that the policy simply require that the District Licensing Committee “have regard” to the proximity of a new licensed premises to sensitive sites (rather than a fixed distance). Another submitter suggested a distance of 100m from any sensitive site would be appropriate. A further submitter noted that the majority of draft LAPs contained restrictions on licensed premises around sensitive sites, such as requiring impact reports, consulting neighbours, or stipulating a specific distance of separation ranging from 50m to 500m.

Most submitters did not draw any specific distinction between location restrictions for different licence types, but one submitter specifically singled out bottle stores in low-income communities. The submitter was concerned that bottle stores in these locations make alcohol easily available to high-risk people and normalise alcohol for children especially when located near food stores.

### Options

1. No change – the draft LAP would not include any location restrictions.
2. Introduce a restriction on licences (for all or some types of licences) within a given distance (e.g. 100m) of sensitive sites (pending a suitable definition)

If Councillors do not support making a policy that does not restrict the location of new licences, then option 2 provides a means by which some location restrictions could be introduced. There are a few caveats to note, however. Firstly, there is still no local evidence that licensed premises are causing alcohol-related harm. The evidence cited by submitters in support of location restrictions refer to examples from elsewhere in the country or overseas. Councillors have the ability to include a restriction in reliance on the “precautionary principle” – that a proposed measure is likely to ameliorate the identified problem, and that the Council is adopting it to trial whether it will have the desired impact. However, they still need to have reasonable confidence that the measure is appropriate and related to the identified problem. Officers have not recommended this approach earlier because they believe the association between the suggested restriction and the harms identified is not particularly strong.

Secondly, as with any substantial modification to the proposal originally put out for consultation, such a change would require the Council to re-consult. Many people may wish to express a view on such a proposal, and to adopt the draft LAP with a location restriction without further consultation would likely expose the Council to legal challenge.

Thirdly, it should be noted that a location restriction such as the one described above would only apply for a new licence application. Existing licences being renewed would not be required to comply with this location restriction. While this ensures no new licenses would be permitted within 100m of sensitive sites, existing venues would not be affected.

### Recommendation

While the concerns raised by submitters are acknowledged, they have not presented any new local evidence that demonstrates that existing licensed premises are associated with harm because of their location close to sensitive sites. While there may be merit in including a location restriction to guard against future licensed premises, **officers do not recommend that location restrictions are included in the draft LAP at this stage.**

### One-way door

The draft LAP did not propose including a one-way door restriction. It was noted that there are currently few locations where the number and proximity of licensed premises are likely to benefit from a mandatory one-way door restriction. Furthermore, voluntary one-way door restrictions had been created by licensed premises themselves where they recognised the benefits to operate such a restriction. It was also noted that the District Licensing Committee had the ability to impose a one-way door restriction as a condition on any licence, regardless of whether it was included in the draft LAP.

### Submission analysis

Of the 11 submitters who made comment about a one-way door restriction, most encouraged the Council to include a one-way door restriction in the draft LAP. Submitters noted that it would contribute to a reduction in alcohol consumption, would reduce trouble and drunken behaviour, and encourage people to go home earlier. Opinion varied on what time a one-way door restriction should apply from, ranging from 1am to 2.30am.

Few submitters wrote in opposition to a one-way door restriction. The Safety Advisory Board was not opposed to one-way doors in principle, but favoured the current approach of encouraging voluntary arrangements. The other arguments in opposition were concerned that people who work late hours in hospitality would be excluded from entering bars when they finish work, or that it would leave people on the street with nowhere to go.

### Options

1. No change – the draft LAP would not include a mandatory one-way door restriction.
2. Introduce a mandatory one-way door restriction for all on-licensed premises (or limited by location – e.g. within the ring road), applying from 1am or 2am.

Although the draft LAP did not include a mandatory one-way door restriction, such a provision could be included as a compromise if the Council chose not to proceed with reducing maximum trading hours for on-licensed premises to 2am in the business or industrial zones. Taken together, this would enable those businesses to continue trading until 3am but would prevent any new customers entering after 2am. A more restrictive approach would be to apply the one-way door restriction from 1am. This would significantly expand the scope of application, with 36 premises affected including function centres, hotels, taverns, class 1 restaurants with a bar operated as a tavern, and one club.

Most premises that would be affected by a 1am or 2am one-way door restriction are located within the main urban area, but some are outside. A variation could be to limit the one-way door restriction to only those premises within the main urban area. However, there is little justification for such a limitation. While a one-way door is primarily intended to limit “migration” from bars

during the final hours of trading, in the absence of a restriction in maximum trading hours a one-way door restriction can serve as a compromise allowing bars to continue trading but limit the admission of new customers, and this could apply equally to premises operating in the villages or on the periphery of the main urban area.

#### Recommendation

**Officers recommend that a one-way door restriction be included in the draft LAP, applying for one hour for all on-licensed premises that trade after 2am.** This recommendation is intrinsically connected to the recommendation to change the maximum trading hours for on-licensed premises. If the officer recommendation on maximum trading hours is not accepted, then the recommendation regarding a one-way door restriction may no longer be appropriate. They are presented in this summary as separate recommendations for simplicity of reference to the issues raised by submitters, but in practice the recommendations for trading hours and the one-way door restriction operate as a package rather than discrete elements.

The justification for a one-way door restriction is that it mitigates the risk of permitting on-licensed premises to continue trading until 3am. Officers accept the arguments made by submitters that the harm caused by preloading is unlikely to be minimised by preventing bars from trading from 2am to 3am. However, it is not accepted that bars trading until 3am does not lead to any alcohol-related harm. The introduction of a one-way door restriction mitigates that risk of alcohol-related harm, by preventing bars from admitting or re-admitting patrons after 2am. It also enables bars to reduce the impact of patrons all leaving the premises at the same time, with patrons required to leave if they become intoxicated.

#### Discretionary conditions

The draft LAP did not include any discretionary conditions. Any conditions that the LAP might include are applied only at the discretion of the District Licensing Committee, but the absence of conditions does not prevent the DLC from applying any reasonable condition it believes is necessary to impose on the licence applicant. Therefore, officers argued that including discretionary conditions in the draft LAP offered no additional benefits.

#### Submission analysis

Of the eight submitters that commented on discretionary conditions, only two were supportive of Council's proposal to not include discretionary conditions, echoing the points outlined above. The rest encouraged the Council to include discretionary conditions in the draft LAP. Without examining the arguments for specific conditions (which are listed below), the general thrust of argument is that including discretionary conditions provides guidance for the DLC as to the range of conditions that might be imposed.

Discretionary conditions suggested by submitters include:

- Maximum trading hours for special licences to be the same as on-licences (to offer consistency and consolidate the public health message about alcohol health harms).
- Special licence applications for large scale events should complete an alcohol risk management plan.
- A one-way door restriction for the last hour of on-licence trading.
- Prohibiting the sale of certain products.

- No “shots” or straight spirits/liqueurs to be served during the last hour of trading/after 12am.
- Licensees to be responsible for cleaning litter, vomit and broken glass within 50 metres of premises.
- Restricting use of outdoor areas for drinking and dining after a specified hour.
- Use of adequate CCTV coverage of specified areas.
- Use of adequate lighting around entrances and exits.
- Controls around the amount of alcohol advertising that is visible within 500m from schools and early childhood facilities.
- Restrict the sale of single alcoholic beverages from off-licences (to assist compliance with liquor bans and to reduce preloading and sideloading).
- No sales to persons wearing a school uniform.
- No display of ready-to-drink (RTD) beverages at the principal entrance to an off-licensed premises, or within three metres of the front windows.
- External advertising of the premises or alcohol brands/products to be minimised (limited to one sign identifying the trading name of the premises, windows to be clear and free from band advertising and no portable signage such as flags or sandwich boards).
- For club licences, a qualified manager on duty when alcohol is being sold or supplied during higher-risk periods.
- For a special licence, restrict the number of alcoholic beverages supplied to a single patron, and restrict the use of certain types of drinking vessels.
- For a special licence, require the licensed area to be clearly defined and cordoned off.
- Licensees required to supply food to patrons.

#### Options

1. No change – do not include discretionary conditions in the draft LAP.
2. Include discretionary conditions in the draft LAP.

The advice from officers remains unchanged regarding discretionary conditions. By their very nature a discretionary condition is not mandatory, and the DLC is entitled to exercise its discretion in choosing which, if any, conditions to apply to a licence. It is also not bound by the list of discretionary conditions that may be included in the LAP. The DLC is free to apply any of the conditions listed here (or others it may identify) to any licence application, regardless of whether they are included in the LAP.

The Committee could choose to submit this list of suggested conditions (together with any other conditions it believes are appropriate) to the DLC, separate from the LAP. The DLC is then free to consider that suggestion, and act as it thinks best.

#### Recommendation

**Officers recommend that no change is made to the draft LAP, and that discretionary conditions are not included in the policy.** While the validity or usefulness of specific conditions is not disputed, there appears to be little benefit to their inclusion in the LAP.

### Other issues raised by submitters

A few submitters raised additional issues. Some of these are not related to licensing and are outside the scope of the proposal. These issues are discussed below.

#### Liquor ban area/noise

A submitter expressed frustration with the lack of policing of the liquor ban area, which the submitter believed would do significantly more to make the inner city safer and more welcoming than reductions in trading hours.

Another submitter was concerned about noise from intoxicated individuals outside the submitter's motel complex at night, coupled with alcohol-related litter in and around the motel complex.

NZ Police are responsible for enforcing the liquor ban area. Officers recommend that this feedback be relayed to the Police.

#### Monitoring, evaluation and review

One submitter commented in support of the proposal to review the draft LAP two years after it comes into effect. They further recommended a monitoring and evaluation plan with a range of indicators for assessment the success or otherwise of the policy.

Officers have noted the suggestions and recommend that these are taken on board for inclusion in development of the monitoring and evaluation of the plan. This would be developed by officers in advance of the policy coming into effect.

### Social media comments


There were six posts on Facebook throughout the consultation period. These posts were designed to raise awareness of the key changes being proposed in the draft LAP, and encourage people to make a submission. The emphasis on making a formal submission was particularly strong, given that under the Sale and Supply of Alcohol Act the right to appeal Council's final decision is reserved only to those people who make a formal submission.

#### Reach and impact of social media posts

It is misleading to aggregate the total number of people reached across all six posts, as the same people may be present in the statistics for multiple posts. One post stands out amongst the others, on 7 November. It attracted six times as many comments as the other five posts combined. Screenshots of the different posts are included below the table.

2019	People reached	Reactions	Comments	Shares	Post clicks
26 October	5,574	11	22	4	521
7 November	13,631	113	234	11	4,245
16 November	4,734	7	11	1	354
22 November	2,573	7	1	0	32
8 December	4,267	6	3	1	187
13 December	2,908	5	0	0	40





Palmerston North City Council

Published by Sara McPhail [?] · October 26, 2019 ·


We're proposing a Local Alcohol Policy for Palmerston North, and we want your feedback.


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What is a Local Alcohol Policy? This policy will help us create safer communities. We're proposing some changes to trading hours for different types of alcohol licensees. This means you could see businesses closing slightly earlier. Tell us what you think at one of our upcoming sessions.

--

CBD: @Local Alcohol Policy- Drop-in Session (CBD)... See More






Palmerston North City Council


November 16, 2019 ·

We're proposing a draft Local Alcohol Policy for the city. As part of this policy, we \*could\* consider a 'one-way door' policy. This means that patrons can't re-enter establishments after a certain time. We're \*not currently\* considering this in our draft policy - is this the right decision?

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Make your submission at [pncc.govt.nz/alcoholpolicy](https://pncc.govt.nz/alcoholpolicy) or come to one of our drop-in sessions coming up:  
Local Alcohol Policy- Drop-in Session (UCOL) - Pizza Provided 🍕 or... See More






Palmerston North City Council

Published by Maddie Powers [?] · November 7, 2019 ·

We're proposing to change the maximum trading hours for licensed premises around the city. This will mean that most premises will close an hour earlier to discourage 'pre-loading'. What do you think? Make a submission on our draft Local Alcohol Policy at [pncc.govt.nz/alcoholpolicy](https://pncc.govt.nz/alcoholpolicy).





#### Comment analysis

The nature of social media engagement means comments are often more informal or general. Most commenters were not supportive of the restrictions proposed in the draft LAP, or were dismissive or critical of Council and the proposals generally. However, it appears that many commenters did not read the full details of the proposal before commenting.

Most comments related to the proposed reduction in trading hours for on-licensed premises, especially the association with pre-loading. Almost all commenters believed the emphasis should not be on reducing trading hours for on-licensed premises, and that any such restrictions would likely exacerbate pre-loading and alcohol-related harm, rather than reduce it. Some commenters



made reference to the voluntary 2am trial, echoing the points made in formal written submissions. One submitter, who identified as working within the hospitality industry, noted that during the 2am trial they noticed a 30% increase in intoxicated people coming into town, and a 20% increase in violence. Further, when people were refused entry at bars it often turned violent.

One person commented that one-way door policies would be good, while a few commenters identified a problem with the number of liquor store/bottle store licences, and suggested that Council should look at restricting their number.

A number of commenters made reference to price, particularly the disconnect between prices at off-licensed and on-licensed premises. Several of those commenters suggested that the Council should look to increase prices to make it less attractive for people to drink alcohol at home. Two people suggested that the “drinking age” should be raised. Neither of these are options for the Council to consider, as we have no power to set alcohol prices, or alter the minimum purchase age.

### Impact of COVID-19

Officers acknowledge the extraordinary impact of the global COVID-19 pandemic on the country. Since the hearings on the draft LAP were held in February 2020, New Zealand responded to rising COVID-19 case numbers with a lockdown that required all non-essential businesses to close during alert level 4. As the country negotiated its way down the alert levels, those restrictions were gradually eased and many businesses have been able to return to trading, though in many cases their trading may not be the same as prior to the lockdown.

Officers put a request out to all licensees, as well as NZ Police, MidCentral DHB, the Safe City Trust and Safety Advisory Board, Health Promotion Agency, Alcohol Healthwatch, the Cancer Society and other social services, and business-interest groups such as Chamber of Commerce, CEDA, Hospitality NZ and Retail NZ. The request was for any information or data on the impact of COVID-19, particularly the specific local impacts of COVID-19 on businesses, organisations, and people or clients, to capture the economic, social and health impacts. While the broad impacts are generally known and understood, we were looking for specific local data that could be used to inform the Council as part of the decision-making process. We received six responses to this request, which are summarised below.

### Health and research

Te Hīringa Hauora/Health Promotion Agency shared the results of a survey they conducted to assess the impact of COVID-19 on a range of health areas, including alcohol, smoking and gambling. The survey was conducted online between 7 and 13 April (during alert level 4). The sample was 1,190 New Zealanders aged 18+, with a maximum margin of error of  $\pm 2.8\%$  at the 95% confidence interval.

The headline results for alcohol revealed the following:

- Of those who have drunk alcohol in the last 4 weeks, approximately half (47%) say they are drinking at the same levels during the lockdown as they usually do, while 34% reporting drinking less than usual.
- Among Māori respondents, 42% report drinking less than usual, while 57% of Pasifika respondents report drinking less than usual.
- Fifty-one percent of 18-24 year olds are drinking less than they usually do.

- One in five report drinking more than usual. Increased drinking is more prevalent among 25-49 year olds.
- Of those who have drunk alcohol in the last week, 19% have had a drink every day, including 33% of those aged 65 years and over.
- On average, each has consumed 14 standard drinks over the week, with Māori and Pasifika drinkers consumer a higher average number of standard drinks (17 and 25 respectively)
- 48% of people aged 18-24 years had drunk alcohol on only one day and consumed an average of nine standard drinks on that one occasion.
- Those who reported drinking more than usual consumed an average of 22 standard drinks in a week, while those who reported drinking less than usual consumed an average of 10.<sup>4</sup>

Dr Taisia Huckle from Shore Whariki also conducted research on drinking habits during COVID-19, looking at alcohol consumption and access to alcohol. However, the results will not be published until later this year.

#### Individual licensees

Two individual licensees responded to the request for information and supplied some data and commentary on the impact of COVID-19 on their businesses. The names of the individuals and businesses are not provided here, out of respect for their privacy and commercial interests.

One business owner, a hotel, noted that alcohol was a small component of their overall business, which is primarily related to accommodation of guests and restaurant diners. They observed that the impact of COVID-19 was notable, though business has “bounced back” quite quickly. They expect to see a decline in rooms sold month on month of approximately 25% on the previous year, which they expect will flow through to food and beverage sales which they anticipate reducing by 25% also. The suggested explanation they gave is that many venues in Palmerston North target the domestic, rather than the international, markets, and has a large number of corporate clients travelling here for business. With the border restrictions expected to continue for some time, it may be reasonable to expect that this explanation will continue as accommodation providers geared towards domestic visitors may be impacted less than those geared towards international visitors.

The second business owner, a restaurant, noted that trading was down in March by 60% compared the previous year, 95% down in April, 60% down in May, and 25% in June. Based on the assumption that things “get back to some sort of normality” they expect their business to be down more than 25% of the total years budget, equivalent to turnover of about \$500k. They have made use of the wage subsidy scheme and kept and paid staff, and have invested in staff with varying courses.

#### Retail NZ and Hospitality NZ

Greg Harford from Retail NZ provided a report about the retail sector generally, noting the particular impact on the hospitality sector. This two-page report observed that “sales were flat in February, and decline in March before collapsing by nearly 80 per cent in April. The Retail NZ Sales Index records that sales in May were down 12.7 per cent compared to May last year. This demonstrates that, even though most parts of the retail sector are now open more or less normally, there is still significant pressure on retailers.”<sup>5</sup> The same report included data from a Retail NZ Member Survey in May 2020 which showed 24% of businesses either expect to cease trading or are not confident

<sup>4</sup> “Impact of COVID-19: Topline results”, Nielsen on behalf of Te Hīringa Hauora/Health Promotion Agency, 17 April 2020, p. 10.

<sup>5</sup> “Retail Radar June 2020”, Retail NZ, p. 1.

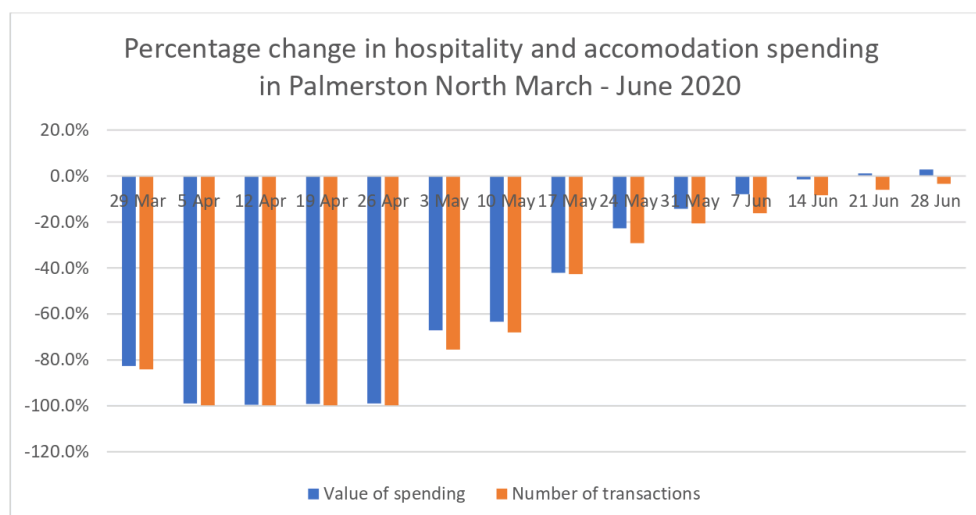
they can continue trading. Thirty seven percent are not sure, while a similar proportion are confident or very confident of continuing trading.

Hospitality NZ supplied a presentation on the economic impacts of COVID-19 for the hospitality sector. Again, this information is for the country as a whole, rather than Palmerston North, though Adam Parker, regional manager for the Palmerston North branch of Hospitality NZ observed that “we cannot for a second begin to assume that Palmerston North falls outside the scope of these national figures presented.” Hospitality NZ reported that:

- spending in the sector was down by \$721 million or 93% Mar-April 2020
- Infometrics predicted 53,300 job losses in the accommodation and food services sector between March 2020 and March 2021.
- Hospitality NZ had received 571 redundancy-related calls nationally between March 1 and June 25.

#### Economic data

Data obtained from Paymark for Palmerston north show the weekly change in spending (by value of spending and number of transactions) for the period from 29 March to 28 June, when compared to the same period in 2019.



Unsurprisingly, spending was all but eliminated for this sector during April, when the country was under lockdown and only essential businesses were able to trade. As the country moved into alert level three (from 28 April) some businesses such as cafes were able to resume trading under specific restrictions for physical distancing and separation between customers and staff. Under alert level two (from 14 May) these restrictions were eased further and customers were permitted to be on site for dining, but were subject to specific restrictions: seated, separated, and single server. Bars and taverns were not permitted to reopen until 21 May. These restrictions were lifted when the country moved to alert level one on 9 June. Since the shift to alert level one, the value of spending has slowly begun to increase compared to the same period in 2019, though the number of transactions remain lower when compared to 2019.



## COMMITTEE WORK SCHEDULE

**TO:** Community Development Committee

**MEETING DATE:** 5 August 2020

**TITLE:** Committee Work Schedule

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### RECOMMENDATION(S) TO COMMUNITY DEVELOPMENT COMMITTEE

1. That the Community Development Committee receive its Work Schedule dated August 2020.

### ATTACHMENTS

1. Committee Work Schedule - August 2020 [↓](#) 

## COMMUNITY DEVELOPMENT COMMITTEE

### COMMITTEE WORK SCHEDULE – AUGUST 2020

Item No.	Estimated Report Date	Subject	Officer Responsible	Current Position	Date of Instruction/ Point of Origin
1.	August 2020	Feasibility of introducing a Companion Card for those with permanent disabilities	General Manager – Infrastructure / Chief Customer Officer		2 September 2019 Clause 15.3
2.	August 2020	Investigate the Papaioea Park cricket pavilion for use by the Papaioea Place residents as a community space	Chief Infrastructure Officer		1 July 2020 Clause 17.2
3.	November 2020	Options for Library Services in Highbury	Chief Customer Officer	Post lockdown, Officers continue to work with partners on options for library services in Highbury.	5 June 2015 Clause 10.2
4.	November 2020	Report outlining the cost of achieving mobility parking compliance outside of current hours	Chief Infrastructure Officer		1 July 2020 Clause 20.2