



The Salvation Army New Zealand, Fiji & Tonga Submission to the Draft Auckland Council Local Alcohol Policy (LAP)

1. BACKGROUND

- 1.1 The Salvation Army is an international Christian and social services organisation that has worked in New Zealand for over one hundred and thirty years. The Army provides a wide-range of practical social, community and faith-based services, particularly for those who are suffering, facing injustice or those who have been forgotten and marginalised by mainstream society.
- 1.2 This general submission has been prepared by the Social Policy and Parliamentary Unit (SPPU) of The Salvation Army. This Unit works towards the eradication of poverty by advocating for policies and practices that strengthen the social framework of New Zealand.
- 1.3 We have over 90 Community Ministry Centres and Churches (Corps) across the nation, serving local families and communities. We are passionately committed to our communities as we aim to fulfil our mission of caring for people, transforming lives and reforming society by God's power.¹
- 1.4 The Salvation Army has a relatively large presence in Auckland with our network of Corps, Community Ministry Centres, Social Services, and Family Stores throughout the region. Therefore some of these specific arms of The Salvation Army will make their own submissions to this LAP process. We endorse and support these submissions from other parts of our organisation, particularly as they will offer more specialised knowledge about alcohol-related issues in their areas of work, or local neighbourhoods.

2. THE SALVATION ARMY PERSPECTIVE

- 2.1 The Salvation Army generally supports the large proportion of this draft LAP. However, we specify below the parts of this draft that we do not support.
- 2.2 The Salvation Army re-affirms that critical to the success of any LAP is a clear intention to fulfil section 4 of the Sale and Supply of Alcohol Act 2012 (the Act):

The object of the Act (section 4) is that:

¹ <http://www.salvationarmy.org.nz/our-community/mission/>

- (a) The sale, supply and consumption of alcohol should be undertaken safely and responsibly; and*
- (b) The harm caused by the excessive or inappropriate consumption of alcohol should be minimised.*

2.3 Safety around the supply and consumption of alcohol, as well as harm reduction, should be fundamental considerations for policy makers, politicians, community organisations and any liquor licensing authorities. The Salvation Army has consistently advocated for tighter controls around alcohol sales, supply and advertising. We have also supported a harm minimisation approach around alcohol consumption, particularly as we see daily the impact of inappropriate alcohol consumption and alcohol abuse through our Food Banks, Community Ministry Centres, Addiction Service Centres, and other social services we deliver.

2.4 We also acknowledge that the large majority of alcohol-related research consistently indicates that **reducing the trading hours of licenced premises**, and also **reducing the actual number of alcohol outlets**, are two of the most effective measures available that would directly contribute to fulfilling the stated object of the Act. We are pleased to see that these policy levers do indeed feature in this draft LAP. However, we contend that the Auckland Council and in particular the Auckland District Licencing Committee (DLC), and Alcohol Regulatory and Licencing Authority (ARLA), can more frequently apply these levers, as well as other measures available to them that are set out in this draft LAP, as they consider licence applications and/or appeals. We contend that these authorities should exercise greater bravery in dealing with these licences, and apply the full force of powers it has available to them to ensure the stated goals of the Act - safety and responsibility around the sale, supply and consumption of alcohol, and harm minimisation - are fully and actually met in the Auckland region.

3. OTHER IMPORTANT MATTERS

Before turning to our responses to specific elements of the draft LAP, we would like to briefly mention some other key matters that are not necessarily part of the draft LAP. But these areas are significant when pursuing safety, responsibility and harm minimisation around alcohol in Auckland.

3.1 ARLA and DLCs

This LAP will essentially inform and influence the work of the DLC and, when necessary, the ARLA. In our opinion, the Auckland DLC plays the most vital role here as they are the first level of decision-making regarding licences and managers certificates. As mentioned above, we implore the Auckland Council and the DLC itself to be brave in their decision-making, particularly if any applications before them are inconsistent with the object of the Act and the provisions of the LAP.

This draft LAP has useful tools such as the Environmental and Cumulative Impacts Assessment (ECIA), and the presumption against the issue of new off-licences in Broad Area A and the Priority Overlay, which the DLC can fully utilise in their decision-making process. Bravery is needed for the DLCs and ARLA, particularly as they are faced with strong lobbying from the massive and well-resourced alcohol industry. We believe this bravery is possible and necessary to ensure families and communities in Auckland are protected from the damaging effects of the inappropriate sale, supply and consumption of alcohol.

3.2 Role of NGO Sector

We acknowledge and appreciate that a large range of sectors and groups have vested interests in alcohol-related issues. From the health sector through to the youth sector, from the Police through to the research and tertiary education centres, alcohol-related issues affect nearly all aspects of life in Auckland.

We submit that the NGO sector also has a pivotal role in informing and framing discussions of alcohol-related issues in this city. Our Salvation Army experience of these issues is often around acute need arising from addiction to alcohol, or through the consequences of alcohol-related harm via our budgeting, food welfare, courts and prisons, or even Christian Corps or Church programmes. Our experience is vast, real life, varied and very in-depth. We believe we can greatly contribute to the on-going public debate and discussions around alcohol in Auckland, whether this involves possibly informing the training that DLC members undertake, or informing any on-going policy development by Council officers.

4. RESPONSES TO SPECIFIC ASPECTS OF THE DRAFT LAP

4.1 POLICY AREAS

4.1.1 We agree with the division of Auckland into the three main policy areas of Broad Areas A and B, and the Priority Overlay. We believe that the rationale used for these three areas is sound.

4.1.2 We submit that with the fast population growth and community development in Auckland, flexibility is needed in the future when considering if new Priority Areas should be added to the LAP. We understand the LAP can be reviewed and renewed after 6 years. But with Auckland growing so rapidly, we are concerned that some specific vulnerable communities that we are working with could not fall within the *Priority Streets* or *Priority Area* definitions in the LAP. We recommend a process where there are regular review periods with Council officers every two years within the 6-year LAP cycle where these Priority Areas could be discussed and possibly added to upon recommendations from the community and key stakeholders.

4.2 POLICY TOOLS

4.2.1 ECIA

- Overall we support the ECIA process being implemented for licence applications. However, we believe the current density of licenced venues is already too high. As mentioned above, reducing the number of alcohol outlets should be fundamental to this LAP and the DLC processes.
- We submit that all Salvation Army Centres in the Auckland region be explicitly included in the ECIA category of *Sensitive Sites*.
 - Salvation Army Centres are often the location of alcohol-related services:
 - We have **Day Programmes** offering addictions services in New Lynn and Manukau.
 - We also have two **Recovery Churches**, where people fighting some form of addiction gather for a Church service to support their battle against this addiction, located in Manukau and Mt Eden.
 - Additionally we have **Supported Accommodation Houses** that assists those fighting addictions in Papatoetoe, Manurewa and Henderson.
 - We have two focussed **Addictions Service** programmes in Mt Eden, Waitakere and Manukau.
 - Finally, our network of Community Ministry Centres and Corps/Churches are very often frequented by those facing addiction to alcohol.
 - We submit that ECIA should include these elements in their process of determining *Sensitive Sites* in the area.
 - We appreciate that this addition might be difficult, particularly given the huge number of Salvation Army locations in Auckland. But we believe it is unconscionable that a new licenced outlet could emerge near any one of our Salvation Army Family Stores, Centres or Corps in Auckland, particularly as people still facing or moving out of alcohol addiction use our various services every day around the region.
 - These specific sites might be covered under section 3.1.1(b) (iv) of the draft LAP. But this is unclear and we request clarification on this matter please.
- We support that Council officers will prepare these reports. We ask for clarification as to whether key stakeholders where the new licence is being sought will be notified by Council officers who are preparing these reports. We believe this is crucial to give people and

organisations in that community an opportunity to prepare responses or challenges to this licence process.

4.2.2 Rebuttable presumption against the issue of new off-licences

- We completely support this policy lever.
- We also support sections 3.2.2 and 3.2.3 of the draft LAP. Again, we entreat the DLC and ARLA to exercise bravery when enforcing this presumption against issuing new off-licences.

4.2.3 Temporary freeze on the issue of off-licences

- We support this freeze.
- However, we submit that this should eventually become a permanent freeze in these specific areas, particularly as the Council has already identified *that these areas experiencing disproportionate levels of alcohol-related harm compared to other parts of the region* (section 3.3 of draft LAP). If reducing proliferation is the stated goal for this policy tool, then a permanent freeze seems more suitable and logical, rather than a temporary freeze.

4.2.4 Maximum hours

- We support the maximum hours in this draft LAP.
- We support the flexibility and power the DLC and ARLA has in imposing more restrictive hours for licenced outlets on a case-by-case basis.
- We believe that off-licence outlets should also be forced to close during school closing hours to ensure children and young people are not relentlessly exposed to the trade of these outlets as they make their way home after school.

4.2.5 Trial extensions

- We submit that in considering these applications for extended hours, the DLC and ARLA should continue to apply a safety and harm minimisation lens to their decisions.
- We fully support the policy positions espoused in section 3.5.5(d) of the draft LAP.

4.2.6 Discretionary Conditions

- We support the imposition of these conditions by the DLC and ARLA

4.3 ON-LICENCES

4.3.1 Council Policy

- We support section 4.1.1 of this draft LAP

4.3.2 Renewal of Licences

- We are disappointed that existing on-licence venues are not included in the reach of this policy. But we support the use of imposed conditions to reduce any inconsistency.

4.3.3 Maximum Hours

- We agree with the maximum hours set out in the draft LAP.
- We want to emphasise that these are *maximum* hours and that the DLC and ARLA can and often should, issue shorter hours, particularly in the Priority Overlay areas.

4.3.4 Discretionary Conditions for all On-licences

- We agree with the various conditions set out in section 4.4 of the draft LAP.
- Regarding the register of alcohol-related incidents, we request clarification as to how Council officers and the Police can ensure the accuracy of these registers. On-licence venues might neglect to record all of the alcohol-related incidents they experience, especially as their licence might be at risk. If the incident does not come to the attention of the Police, then it is solely up to the on-licence venue to accurately record incidents. We submit that this section requires further investigation by the draft LAP authors, particularly as any alcohol-related incidents will have flow-on effects to the customers of the on-licence as well as the wider community where the venue is located.

4.3.5 Discretionary Conditions

- We fully support all of the discretionary conditions detailed in section 4.5 of the draft LAP.
- We encourage the DLC and ARLA to utilise these conditions broadly to ensure the object of the Act is being fulfilled.

4.3.6 Additional Matters

- We submit that the DLC and ARLA should use the tools set out in section 4.6 of the draft LAP.
- We submit that having a minimum number of qualified and licenced security professionals is critical in ensuring the other conditions of the licence, as well as community safety, are being met. We believe that the numbers of security professionals set out in Table 2 the draft LAP should only be minimum numbers. That is, the on-licence should be directed by the DLC and ARLA to employ more than the minimum numbers required in Table 2,

particularly if the on-licence has had breaches of its licence in the past.

4.4 OFF-LICENCES

4.4.1 Density and Location Polices for new Off-licences (Broad Area A and Priority Overlay)

- We wholeheartedly support the Temporary Freeze and Presumption Against Granting New Off-licences policy tools set out in section 5.1 of the draft LAP.

4.4.2 Density and Location Policies for new Off-licences (Broad Area B)

- We endorse the rebuttable presumption for new off-licences neighbourhood centres within Broad Area B.
- We fully endorse section 5.2.4 of the draft LAP around areas in Broad Area B that are not neighbourhood centres.
- We submit that NGOs and community groups like The Salvation Army have intimate community knowledge around alcohol-related issues and harm that many other organisations and local government agencies might not have. We submit that when preparing ECIA as per section 3.1.1 of this Policy, Council officers should make use of this knowledge as they prepare the ECIA and consult key stakeholders.

4.4.3 Renewal of Off-licences

- We fully support the broad use of the conditions available to the DLC and ARLA as per section 5.3 of the Policy.
- These conditions are very important because in this case, they are concerned with *existing* off-licence outlets. The Temporary Freeze and Presumption discussed at length deals with new off-licence venues. But these sections of the draft LAP deal with existing outlets who have essentially contributed directly to the proliferation, saturation and alcohol-related harm that has brought about these legislative changes.
- Therefore, we implore the DLC and ARLA to use these conditions extensively when looking at licence renewal applications from *existing* off-licence venues.

4.4.4 Maximum Hours

- We support section 5.4 of the draft LAP.
- However, we submit that since these are indications of maximum hours, there is clearly an opportunity for the DLC and ARLA to restrict opening hours during the opening and closing times of schools. As aforementioned, we contend that children and young people should not be continually exposed to these venues as they go to and from school.
- Since schools in Auckland vary markedly in their opening and closing times, we propose a restriction or closing for

off-licences between the 'school hours' of 7:30am-8:30am and 3:00pm-4:00pm.

- Again, these are indications of *maximum hours*. The DLC and ARLA could send some strong harm minimisation messages with this LAP by restricting off-licence hours during these 'school hours'.

4.4.5 Discretionary Conditions

- We support the conditions set out in this section of the draft LAP.
- Again, the rationale around an alcohol register that we detailed in section 4.3.4 of this Submission applies here as well. Given that off-licence venues are generally closer to residential areas, we submit that accurate registers are even more important as any incidents would likely be more visible and impacting to more people in the community. These accurate registers could play a significant role as to whether a venues licence continues or is renewed. Therefore, enforcing the accurate recording of these incidents, particularly if they *do not* come to the attention of the Police, is vital
- We fully support the condition around restricting single sales.

4.4.6 Additional Matters

- We fully support the matters set out in section 5.7 of the draft LAP.

4.5 CLUB LICENCES

- We agree with the maximum hours in this Policy.
- We submit that, as per section 6.1.2 of this Policy, a new condition should be added to this list. We submit that as the authorities determine a club's appropriate hours, they should also consider the density and location of other licenced venues in their vicinity. It is unclear whether ECIA can be applied in these situations. But if they are not, then they could possibly be applied in these types of applications and deliberations.
- In our experience, licenced club venues are very often a common location of alcohol-related abuse and harm in communities we work in. We contend that greater safeguards for communities are needed when the DLC and ARLA determine opening hours for these outlets.
- We fully support the conditions set out in sections 6.2 and 6.3 of this Policy, particularly the conditions around restrictions of drinks prior to closing and the alcohol incidents register.
- We acknowledge that there is no mention of a One-way Door policy in this draft LAP. We also acknowledge that the research is fairly neutral as to the effectiveness of such a policy. We submit that further investigation is needed about this kind of tool, particularly as more

studies build on the major DANTE and POINTED studies in Australia.

- We also believe other harm minimisation measures more directly related to club venues should be investigated further, including the use of fines or breach notices for alcohol-related incidents or breaches, or the closer monitoring of energy-drink drinkers.

4.6 SPECIAL LICENCES

- We fully support the provisions set out in section 7.3 of this draft LAP, particularly the restrictions on the size and strength of alcoholic beverages, and the security requirements for these events.

5. CONCLUSION

The Salvation Army generally supports this draft LAP, with some exceptions. We continue to highlight the fact that reducing trading hours of licenced outlets, and reducing the actual number or density of these outlets, is two of the best methods available to fulfil the objectives of the Act. We are pleased that the Council is employing a raft of measures and policy tools in this draft LAP. Moreover, we are also supportive of the majority of these tools. However, we submit that the DLC and ARLA play an extremely critical role in fulfilling this Act. We hope the DLC and ARLA continue to exercise greater bravery in their decision-making process to ensure that there truly is safety and responsibility in the sale, supply and consumption of alcohol, and also that alcohol-related harm is minimised in the Auckland region.

Major Campbell Roberts
National Director, Social Policy and Parliamentary Unit
The Salvation Army New Zealand, Fiji and Tonga
+64 27 450 6944 | + 64 9 261 0883 (DDI)
campbell_roberts@nzf.salvationarmy.org