



12 May 2021

Minister Faafoi
Minister Little
Parliament Buildings
Wellington

Safer Whanganui is writing in to in response to the latest decision by the Whanganui District Licensing Committee to approve an additional off licence, above the cap within the Whanganui District Council's Local Alcohol Policy. We are very concerned about the message that this decision sends to our community about alcohol harm.

Safer Whanganui is a community-led, Council mandated collective that received international accreditation in 2010 and was reaccredited in 2016 as a Safe Community. The vision for Safer Whanganui is a positive place to live, learn, work and play.

Safer Whanganui is not a programme, nor is it a mechanism for assessing if our community is safe, rather it is a process that creates local infrastructure to enable community members, community organisations, Iwi, businesses, local government, government agencies and others with an interest in and concern about community safety issues to work together in a coordinated and collaborative way. It is underpinned by restorative practices philosophy that recognises individuals and communities thrive best in an environment of positive relationships.

One of the key principles of Safer Whanganui is that a strong collective voice working together will create positive change. It is with this principle in mind that Safer Whanganui raises concerns about the limitations of current legislation when it comes to limiting alcohol harm in our community.

One of the main aims of the Sale and Supply of Alcohol Act 2012 is to give communities more control. This control is largely exercised through the District Licensing Committee and the Local Alcohol Policy.

In 2013, before developing its Local Alcohol Policy, Whanganui District Council commissioned research consultancy firm Research First to capture resident perceptions around alcohol related issues. Some of the key messages from our community included:

- In most cases respondents believed that there were the right number of off-licence outlets such as convenience stores, supermarkets, restaurants and cafes, sports clubs and bars. **However 60% identified that there were too many liquor outlets.**
- **Most (83%) respondents indicated that Whanganui should consider the number of nearby places selling alcohol when an application for a new licence is made.**
- Many respondents indicated that there should be more control over where alcohol can be purchased in a community. **Nearly all (85 %+) felt there should be restrictions on the proximity of outlets to schools, parks and playgrounds and drug and alcohol rehabilitation services.**

- Opinion was relatively divided as to whether there should be an alcohol precinct (40% agreed, 30% neutral and 30% disagreed), with **two thirds indicating there would be problems with too many licensed premises that are close to each other.**

Whanganui District Council spent considerable effort and time working with the community and interested parties on the development of a Provisional Local Alcohol Policy (PLAP). A comprehensive Local Alcohol Policy Research Report was compiled in 2016. The PLAP then went out for public consultation from 13 March to 15 May 2017 and there were a total of 86 submitters with 17 opting to speak to their submission. Of those, **88% of submitters agreed/strongly agreed that the number of off-licences (excluding supermarkets and grocery stores) be limited to 16.**

The provisional LAP was adopted by Council on 4 July 2017. This was appealed by Foodstuffs North Island Ltd and Liquorland Ltd. Council agreed to continue to defend the Proposed Local Alcohol Policy, but revise maximise off-licences to close at 10pm instead of 9.30pm, this option would reduce legal costs and risks to Council. The final LAP was adopted on 3 July 2019 with all clauses coming into force from Monday 2 December 2019.

The purpose of the LAP is to govern the sale, supply and consumption of alcohol so that it is undertaken safely and responsibly with minimising alcohol related harm in Whanganui, to support the welfare of our community and protect people from alcohol related harm and to reflect our local communities character, amenity, values, preferences and needs. Our LAP gives a clear indication of the community's desires in regard to alcohol availability. However, the District Licensing Committee is only required to **consider** the policy when making decisions on licensing applications. This creates a conflict, where our community has set clear expectations, but the decision making body can override these.

In the last two new applications for off-licences community groups (Safer Whanganui) have opposed the application but have been told they don't have community standing to appear at the hearing as they don't live within 1-2km radius of the premise seeking the off-licence. Community voice is not prioritised in the decision making process. On the occasion when they have managed to be included they are bombarded with a legal process that sets relative lay community members up against specialist lawyers and the deep pockets of the alcohol industry.

We are asking for a review of the Sale and Supply of Alcohol Act 2012, in particular on the following two areas of concern

- The intent of the Act was to give community a voice but the DLC process does not prioritise this, in fact the DLC process works against community having a voice.
- Local Alcohol Policies were intended to give territorial authorities, in consultation with public interest groups and the community, powers to prevent and minimise alcohol harm in their local geographical area. However when DLC's are only required to consider LAPs and not give the LAP the gravitas by having apply it there seems little or no point to a Council's LAP.

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