

**Attachment A – Overview of Submissions  
Queenstown Lakes District Council Nuisance Bylaw 2016**

In total 544 submissions were received on the proposed Queenstown Lakes District Council Nuisance Bylaw. 531 were received from individuals with the remaining 13 from organisations.

The 13 received from organisations were:

Big Night Out Promotions  
Kiwi Crawl  
Jealous Panda  
Canterbury Store  
Haka Lodge  
Pinewood  
Mint Bar  
Wanaka Alcohol Group  
The Police  
The Ministry of Health  
Alcohol Inspectors  
Downtown QT  
Million Dollar Cruise

**General Information**

582 submissions were initially received using an online Fluid survey, with an additional three posted individually. During the processing of these submissions, it was identified that 40 were duplicates, i.e. the same person entered the same submissions more than once.

These duplications were removed leaving a total of 544 submissions.

When informing submitters of the hearing, approximately 130 emails bounced back as being 'undeliverable'. The majority of these emails were found to be from either Facebook email addresses or overseas Hotmail accounts.

Nine responses were received from submitters who advised that they had no knowledge of the proposed bylaw, that they did not make a submission and that they has no knowledge of how their email address could have been used to make a submission.

34 people in total said they wished to speak to their submission at the hearing. When confirming those attending, seven stated they no longer wanted to be heard for the following reasons: work commitments, out of the country, the petition they signed was no longer relevant to them or they no longer worked for the company so the matter was no longer relevant to them. Two people who originally said they did not want to attend the hearing now wished to be heard. 8 people were uncontactable either via email or via phone (emails unanswered, voice mails unanswered or phone numbers did not connect). In total there are now 23 submitters wishing to be heard.

## Licensed Premises Tours

The most significant issue raised was on clause 11 and 15 of the proposed bylaw regarding the permit conditions regarding operating licensed premises tours ("LPT"). From the 544 submissions 538 discussed the LPT with 98% opposed to these proposed permit conditions and 2% in support of the proposed permit conditions.

The general consensus from those in opposition is that by imposing the restrictions on the operation of the business, in regards to their presence on Council land, Council will be controlling an issue that in the submitters' views is not an issue. The submissions reflect a view that the groups on these tours do not cause any intimidation or nuisance when walking from licenced premise to licenced premise and that they operate in a safe and controlled environment.

Other points raised include but are not limited to:

- LPT operate after 10pm so do not impact on the family aspect of Queenstown and only attract like-minded backpackers
- The bylaw would have an adverse effect on the community
- Evidence should be provided as to the problems the groups have caused
- LPT provide a safe and controlled environment for reasonable alcohol consumption
- Alcohol consumption restrictions are already very controlled within New Zealand and by making the bylaw, Queenstown will become more like Sydney
- Door security, bar staff and LPT staff have full control over their patrons
- LPT play numerous games to keep patrons distracted to reduce alcohol consumption
- Water and food is provided to reduce alcohol consumption
- The bylaw should take into consideration non-paying groups such as Asian guided tours and wine tours

A significant number of the comments are identical and provide little or no explanation as to why they oppose sections 11 and 15 of the proposed bylaw. Because of their similar nature, full details of these submissions are not included in this agenda but are available upon request.

The main support for sections 11 and 15 within the bylaw are from the Police, Ministry of Health, Wanaka Alcohol Group, alcohol licensing Inspectors for our district and Downtown QT.

The general consensus from the submissions in support of the permit regulations of LPT is that the permits will allow for greater control over alcohol consumption and a greater level of community safety.

The police submission was not received until 21 June. They provided an email explaining why there were exceptional circumstances and why their submission should still be considered. The covering report recommends that for the reasons provided, this late submission should be accepted for consideration.

The police stated that “they actively promote the consumption of alcohol and at times have promoted the inappropriate consumption of alcohol, which is against what Police, Council, Health and Alcohol Accord are working towards”.

The police also stated that “the environment is unregulated and unsupervised compared to the daytime environment and people’s behaviour changes”.

The licencing inspector’s submission states that “Licences premises tour operators and organisers are not licenced under the Sale and Supply of Alcohol Act, the tours there cannot be included in a Local Alcohol Policy. As a result, other avenues must therefore be looked at to aid in minimising nuisance”.

Other points raised include but are not limited to:

- The staff to patron ratio should be specifically outlined in the bylaw
- Non-paying LPT should be considered within the bylaw
- A reference to the Alcohol Ban Bylaw should be included within the interpretation section of the Nuisance Bylaw
- A reference to the Sale and Supply of Alcohol Act section 237 should be included in the permit conditions
- The law, policies and bylaws can shape and influence aspects of the culture and community
- This opportunity should be taken to put conditions into place for an activity that is currently not governed under any enforceable laws.

## **Psychoactive Substances**

The main comments regarding the topic of psychoactive substances have been provided by the Ministry of Health (‘MOH’) and the police.

The MOH and police both support the suggested restrictions through permits indicating that “there is nothing in current legislation to control consumption in a public place as they fall outside of the Misuse of Drugs Act.”

The police stated that “this is a positive step in reducing the harm that these substances cause in our community and would give enforcement powers”.

## **Busking**

The opposition to removing the permits has been provided from four individual comments including from Downtown QT. In general they believe that a permit system should still be in place and that the permit should be displayed at all times.