

# **Nelson City Council**

## **Urban Environments Bylaw**

### **Review**

**8 December 2021**

For more information please contact:

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## Submitter details

1. Nelson Marlborough Health (Nelson Marlborough District Health Board) (NMH) is a key organisation involved in the health and wellbeing of the people within Te Tau Ihu. NMH appreciates the opportunity to comment from a public health perspective on the Nelson City Council's Urban Environments Bylaw Review.
2. NMH makes this submission in recognition of its responsibilities to improve, promote and protect the health of people and communities under the New Zealand Public Health and Disability Act 2000 and the Health Act 1956.
3. This submission sets out particular matters of interest and concern to NMH.

## Specific Comments

### *Part Five: Trading in Public Places*

4. NMH has read the submission put forward by Living Streets Aotearoa and would like to endorse their submission points regarding the importance of clear accessible paths of travel on footpaths. NMH supports their recommendation that the bylaw be amended to state that all signs (other than those affixed to the front of buildings and parallel to the footpath), tables and chairs and furniture associated with displaying goods be required to be located in the furniture zone, adjacent to the kerb, leaving at least a 2m clear accessible path of travel adjacent to the building line.

### *Part Six: Control of Alcohol in Public Places*

5. NMH recommends that wording in Section 6.11 is amended so that permits to supply alcohol are overseen by the Licensing Inspector only to ensure compliance with the Sale and Supply of Alcohol Act 2012.

*Recommendation:* Section 6.11: A Council permit for this activity may be granted by ~~Council, the Chief Executive of Council, or~~ any Licensing Inspector appointed under section 197(1) of the Sale and Supply of Alcohol Act 2012

6. NMH recommends that the wording to Section 6.12 is amended to further minimise alcohol related harm to children by not just ensuring that they don't have access to alcohol at an event but also that their *exposure* to alcohol advertising and promotions are limited. This condition would then allow for the

consideration of branding, signage and promotion of an event if it is expected that children will be attending.

7. The evidence demonstrating the harm from alcohol advertising has been previously reviewed by the New Zealand Law Commission and the Ministerial Forum for Alcohol Advertising and Sponsorship in their extensive reports on alcohol related harm in New Zealand. To limit harm to children these reports recommended a reduction of youth exposure to sponsorship and advertising of alcohol<sup>1,2</sup>. Exposure to alcohol marketing can result in young people drinking earlier in their lives, and drinking larger amounts of alcohol.<sup>3,4</sup>
8. **Recommendation:** An additional clause is added to Section 6.12: "*A permit granted in accordance with this section of the Bylaw may include conditions related to the following matters to ensure that the activity remains low risk with respect to minimising alcohol related harm.*"  
*New clause: The controls that may be required to ensure that anyone under the age of 18 will not be exposed to alcohol promotions at the activity;*

#### *Part 7: Reserves*

9. NMH recommends a new section is added to the Reserves section in relation to advertising and consumption of alcohol on reserves.
10. **Advertising of alcohol** - Exposure to advertising in the form of alcohol sponsorship can influence drinking behaviours. A 2016 systematic review assessing the evidence on the relationship between alcohol sports sponsorship and alcohol consumption found that of seven studies identified, all indicated that exposure to alcohol sports sponsorship is associated with increased levels of consumption and risky drinking amongst schoolchildren and sportspeople.<sup>5</sup> The majority of New Zealanders support restrictions on alcohol advertising that can be seen or heard by young people. The 2016 Health and Lifestyles Survey found 80% of New Zealanders in favour of increasing restrictions on alcohol advertising

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<sup>1</sup> New Zealand Law Commission. Alcohol in our lives: curbing the harm. Wellington; NZ, 2010.

<sup>2</sup> Ministerial Forum on Alcohol Advertising and Sponsorship. Ministerial Forum on Alcohol Advertising and Sponsorship: Recommendations on alcohol advertising and sponsorship. 2014

<sup>3</sup> Jernigan D, Noel J, Landon J, Thornton N, Lobstein T. Alcohol marketing and youth alcohol consumption: a systematic review of longitudinal studies published since 2008. *Addiction* 2017; 112: 7–20

<sup>4</sup> Anderson P, de Bruijn A, Angus K, Gordon R, Hastings G. Impact of alcohol advertising and media exposure on adolescent alcohol use: a systematic review of longitudinal studies. *Alcohol Alcohol* 2009; 44: 229–43

<sup>5</sup> Wagenaar, A. C., Salois, M. J., & Komro, K. A. (2009), Effects of beverage alcohol price and tax levels on drinking: a meta-analysis of 1003 estimates from 112 studies. *Addiction*, 104(2), 179–190

or promotion seen or heard by people under 18, while 68% supported banning alcohol-related sponsorship of events that people under 18 may attend.<sup>6</sup>

11. **Recommendation:** A section is added to the Reserves section titled **"Advertising of alcohol: The advertising of alcohol (including sponsorship signage) shall not be permitted on Reserves. Advertising of alcohol is limited to price and product range information at point of sale within any licensed venues within reserves**

### **Consumption of alcohol**

12. Exposure to the consumption of alcohol leads to the normalising of drinking alcohol. An increase in the number of environments where alcohol is available leads to the increasing acceptance of alcohol in every situation. For this reason it is important to ensure that the advertising, promotion or consumption of alcohol is not be permitted in playground areas and other play and activity areas including sports grounds frequented by children and youth up to 18 years of age. The He Ara Oranga report of the Mental Health and Addictions Inquiry spoke of people and communities calling for decisive action to limit the sale and promotion of alcohol particularly around children and young people. Alcohol (including its promotion) was a recurring theme and a specific concern through the report as it was identified as undermining many aspects of wellbeing and mental health, and as the most common substance of addiction in our communities.<sup>7</sup>

13. **Recommendation:** A section is added to the Reserves section titled **"Consumption of alcohol": Advertising, promotion or consumption of alcohol is not be permitted in playground areas and other play and activity areas including sports grounds frequented by children and youth up to 18 years of age. Outside of the play and activity areas frequented by children and youth, the consumption of alcohol is permitted by individuals when consumed as part of family picnics, small social celebrations or as part of a licensed event for which a special licence may be applied for or on any licensed premises situated on a Reserve.**

14. NMH notes that the numbering in the Reserves section is not sequential

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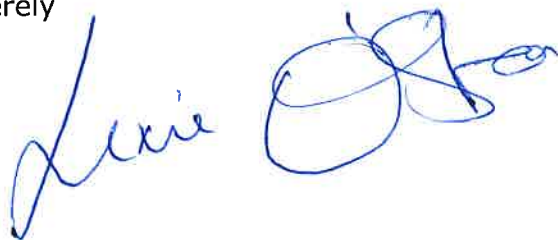
<sup>6</sup> Health Promotion Agency. Alcohol-related attitudes overtime: Results from the Health and Lifestyles Survey. 2018 <https://www.hpa.org.nz/research-library/research-publications/alcohol-related-attitudes-over-time-infographic> (accessed Aug 20, 2019).

<sup>7</sup> Mental Health and Addiction Inquiry. He Ara Oranga: Report of the Government Inquiry into Mental Health and Addiction. 2018 <https://mentalhealth.inquiry.govt.nz/assets/Summary-reports/He-Ara-Oranga.pdf> (accessed Aug 20, 2019).

## Conclusion

1. NMH thanks the Nelson City Council for the opportunity to comment on the Urban Environments Bylaw Review.
2. NMH **wishes to be heard** in support of its submission.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Lexie O'Shea', with a stylized flourish at the end.

Lexie O'Shea  
**Chief Executive**  
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