

Supplementary agenda for a hearing by the Policy & Regulatory Committee (to hear and consider submissions and make recommendations on the Local Alcohol Policy) to be held via Audio Visual Conference on **WEDNESDAY, 28 SEPTEMBER 2022** commencing at **9.00am**.

4. REPORTS

4.2 Deliberations Report for the Local Alcohol Policy Hearing 5

GJ Ion
CHIEF EXECUTIVE

POLICY & REGULATORY COMMITTEE

Reports to:	Council
Chairperson:	Cr Jan Sedgwick
Deputy Chairperson:	Cr Noel Smith
Membership:	The Mayor, all Councillors and Mrs Maxine Moana-Tuwahangai (Maangai Maaori)
Meeting frequency:	Six-weekly
Quorum:	Majority of the members (including vacancies)

Purpose

The Policy & Regulatory Committee is responsible for the Council's governance policies and bylaws, reviewing the District Plan and overseeing civil defence and emergency management issues.

In addition to the common delegations on page 10, the Policy & Regulatory Committee is delegated the following Terms of Reference and powers:

Terms of Reference:

1. To establish, implement and review the governance policy framework that will assist in achieving the Council's strategic priorities and outcomes.
2. To develop, review and approve the consultation process for Council bylaws.
3. To consider and determine changes to the schedules and parking restrictions in the Public Places Bylaw 2016, including hearing any submissions relating to those proposed changes.
4. To hear and determine matters arising under current bylaws, including applications for dispensation from compliance with the requirements of bylaws, unless such matters are otherwise delegated by Council.
5. To administer the Council's District Plan in accordance with the Resource Management Act 1991.
6. To monitor the performance of regulatory decision-making by the District Licensing Committee¹, Regulatory Subcommittee and officers under their respective delegations.
7. To monitor the Council's Civil Defence and Emergency Management framework.

¹ For clarity, the District Licensing Committee is a committee of Council under the Sale and Supply of Alcohol Act 2012.

The Committee is delegated the following powers to act:

Governance Policies

- Develop and agree governance policies for the purpose of consultation/engagement.
- Recommend to Council policy for adoption, amendment or revocation.
- Monitor and review policy, including recommending amendments to any policy as and when required.

Bylaws

- Develop and approve the statement of proposal for new or amended bylaws for consultation.
- Recommend to Council new or amended bylaws for adoption.

District Plan

- Review and approve for notification a proposed district plan, a proposed change to the District Plan, or a variation to a proposed plan or proposed plan change (excluding any plan change notified under clause 25(2)(a), Schedule 1 of the Resource Management Act 1991)
- Withdraw a proposed plan or plan change under clause 8D, Schedule 1 of the Resource Management Act 1991.
- Make the following decisions to facilitate the administration of plan changes, variations, designation and heritage order processes:
 - a. To decide whether a decision of a Requiring Authority or Heritage Protection Authority will be appealed to the Environment Court by the Council and authorise the resolution of any such appeal, provided such decisions are consistent with professional advice.
 - b. To consider and approve Council submissions on a proposed plan, plan changes, and variations.
 - c. To monitor the private plan change process.
 - d. To accept, adopt or reject private plan change applications under clause 25, Schedule 1, Resource Management Act 1991.

Other Resource Management Issues

- Pursuant to Section 34(1) of the Resource Management Act 1991, to exercise all of the Council's functions, powers and duties under that Act, except the functions, powers and duties:
 - a. that cannot be delegated or that are otherwise retained by the Council under its terms of reference; or
 - b. expressly delegated to other Council committees or decision-making bodies, or officers.

- Monitor and approve submissions in relation to National Policy Statements.

Civil Defence and Emergency Management

- Monitor the performance of Waikato District's civil defence and emergency management response against Council's requirements under the Civil Defence and Emergency Management Act including:
 - a. implementation of Government requirements; and
 - b. co-ordinating with, and receiving reports from, the Waikato Region Civil Defence and Emergency Management Group Joint Committee.

Other Delegations

- Exercise all of the Council's functions, powers and duties under the Building Act 2004, the Health Act 1956, and the Food Act 2014, and the respective regulations made under these Acts, except the functions, powers and duties:
 - a. that cannot be delegated or that are otherwise retained by the Council under its terms of reference; or
 - b. expressly delegated to other Council committees or decision-making bodies, or officers.
- Approval of attendance of elected members at conferences, seminars, training or events, in accordance with Council policy.

To	Policy and Regulatory Committee
Report title	Deliberations report on the Local Alcohol Policy
Date:	28 September 2022
Report Author:	Anthea Sayer, Corporate Planner
Authorised by:	Sue O’Gorman, General Manager, Customer Support

1. Purpose of the report

Te Take moo te puurongo

To assist the Policy and Regulatory Committee (Committee) with their deliberations on the draft Local Alcohol Policy (policy) and adopt the Provisional Local Alcohol Policy.

2. Executive summary

Whakaraapopototanga matua

The draft policy was consulted on between 10 August 2022 and 11 September 2022. A total of 141 submissions were received with 28 submitters requesting to speak at the Council hearing at the time this report was written. The majority of submissions supported the changes proposed in the draft policy however submitters did raise issues in relation to the new ‘buy now, pay later’ (BNPL) and remote sales provisions.

Staff recommend that, subject to any amendments directed by the Committee as a result of the hearing, the provisional policy is adopted (option 2) and publicly notified following the October 2022 Council meeting.

3. Staff recommendations

Tuutohu-aa-kaimahi

THAT the Policy and Regulatory Committee:

- a. considers all submissions received during the formal consultation process and directs staff to make any changes that might be necessary; and**
 - b. recommends Council adopts the Provisional Local Alcohol Policy (option 2) at their second meeting of the new triennium (Attachment 1); and**
 - c. recommends Council approves the public notification of the Provisional Local Alcohol Policy made as soon as possible after the approval of the Provisional Local Alcohol Policy.**
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4. Background

Koorero whaimaarama

The LAP sets alcohol licensing criteria for when, where and how alcohol is sold in the district. Licensing bodies must consider the policy when they make decisions about alcohol licensing applications. The LAP also informs and provides guidance to potential licence applicants.

Three Council workshops on the LAP review took place between February and May 2022. The purpose of the first workshop was to gather feedback on the current policy. The second workshop presented a proposed LAP for feedback and the third workshop presented a further iteration of the proposed LAP and confirmed that early engagement on restrictions on bottle stores would take place.

Early engagement submission

Early engagement took place from 1 June 2022 to 1 July 2022. A total of 206 submissions were received. The Statement of Proposal is included in Attachment 3 and the submissions received are included in Attachment 4.

Responses to the submission questions are noted below:

1. Thinking about the number of bottle stores in your town, do you think there are:

Far too many: 23% (48)

Too many: 19% (39)

About right: 46% (95)

Too few: 8% (16)

Far too few: 3% (7)

NB – one respondent did not respond to this specific question.

As a comparison, when the same question was asked in 2013 as part of the development of the current LAP, 60% of respondents thought the number of bottle stores in their area was about right, 24% thought there were too many or far too many, 4% thought there were too few or far too few and 13% didn't know.

2. Please specify the town you are referring to in the previous question.

Town	Percentage
Te Kauwhata	31% (63)
Huntly	27% (54)
Hamilton	11% (23)
Pokeno	8% (17)
Ngaruawahia	7% (15)
Raglan	6% (12)
Tuakau	4% (8)
Cambridge	1% (2)
Cambridge and Hamilton	1% (2)

Town	Percentage
Taupiri	1% (2)
Paeroa	0.5% (1)
Pukekohe	0.5% (1)
Te Aroha	0.5% (1)
Matangi	0.5% (1)

NB - 4 respondents didn't answer this question

3. Do you believe there should be restrictions on the number of bottle stores in your town?

Yes – 84% (171)

No – 13% (26)

Other response – 3% (6)

Three submitters did not respond to this question.

5. Discussion and analysis

Taataritanga me ngaa tohutohu

Formal consultation took place between 10 August 2022 and 11 September 2022. Proposed changes to the draft policy included:

- Restrictions on standalone bottle stores in some parts of the district;
- A new discretionary condition prohibiting off-licences from being able to offer BNPL schemes;
- A definition of 'site' to avoid any confusion as to what constitutes a site;
- Additional clarity where there is a requirement for there to be a certain distance between a proposed licensed premises and an existing facility or other licensed premises;
- For special licences, the removal of the provision prohibiting a one-way door condition applying earlier than two hours before the conclusion of the event; and
- Two new clauses related to remote sales noting when alcohol can be bought online and delivered and who receives the delivery of alcohol.

Consultation was advertised on Council's Facebook page, a public notice published in local newspapers and a media release issued. Those who submitted during pre-engagement, licence holders, Waikato district community boards and committees and iwi were also advised.

Shape Waikato is Council's main portal for engagement with the community. The LAP page on Shape Waikato received 1,087 views and 911 individual visitors.

Submission summary

A total of 141 submissions were received on the draft policy and 28 submitters requested to speak at the hearing at the time this report was written. For all submissions, please refer to the hearings report.

Submitters were asked to note their preferred option for the future of the LAP. The responses are noted below:

What is your preferred option for the future of the LAP?	
Option 1 - Council retains the current LAP	33 submitters (23%)
Option 2 - Council adopts the draft LAP	77 submitters (55%)
Option 3 - Council revokes the LAP	20 submitters (14%)
No option selected	11 submitters (8%)

The main themes noted in response to the options are noted below:

Option 1 – retain current policy	Option 2 – adopt the draft policy	Option 3 – revoke the policy
<ul style="list-style-type: none"> - Prohibiting new bottle stores in deprived areas will limit growth in those towns. - Proposed changes are overreach/too much regulation. - Limits competition and fair prices. - Te Kauwhata doesn't have a standalone bottle store and could do with one. - More education is needed to prevent alcohol harm. 	<ul style="list-style-type: none"> - Widespread harm (health, crime, poverty) is caused by alcohol. - Too many bottle stores already. - General support for the BNPL clause. 	<ul style="list-style-type: none"> - The standalone bottle store provision is too restricting. - Licensed properties should have later closing hours and no one way door provisions. - Raglan should have longer closing hours to allow entertainment to operate for longer.

Matters raised in submissions

Several themes were raised in submissions. These are outlined below for Elected Members to consider as part of deliberations.

1. Buy now, pay later discretionary condition (clause 5.6)

The draft policy includes the following provision related to BNPL:

5.7 Discretionary conditions of off-licences

5.7.1 In accordance with sections 116(1) and 117 of the Act, the DLC may impose discretionary conditions in relation to the following matters (in addition to those required by section 116(2)) of the Act) on any new off-licence or renewed off-licence. These may include conditions related to the following, or any other reasonable condition:

...

- j. Licensees are prohibited from accepting 'buy now pay later' as a method of payment for the sale or supply of alcohol to any customer whether remotely or on premises, regardless of whether the 'buy now pay later' is executed through a third party or not. This condition does not apply to payments made by a standard bank credit card.*

This provision was added because such schemes are unregulated and are not recognised as a form of credit under New Zealand law. This means the rules requiring credit card and loan providers to assess an applicant's ability to meet their financial obligations don't apply. BNPL has the potential to make alcohol more accessible leading to more harm. The District Licensing Committee has also undertaken to add this condition to each new off-licence and renewed off-licence in the future.

Double 9 Limited (submission ID 4708), SVVAPP Holdings Ltd (submission ID 4715), Foodstuffs (submission ID 4694), Tasman Liquor (submission ID 4692), Tuakau Cosmopolitan Club (submission ID 4707) and the Bottle-O Te Rapa (submission ID 4716) submitted detailed comments against the proposed provision for the following reasons:

- 'Buy now, pay later' and 'customer' are not defined and could cause issues when trade or 'on account' customers (such as a golf clubs, restaurants or special events) purchase alcohol on credit. This point was also raised by other submitters who supported the clause but requested definitions be included in the final policy.
- That the proposed condition appears to be a form of price control prohibiting purchases made via finance that allows payment of the full amount to be deferred to a later date.
- The proposed condition appears to attempt to shift onto licensees the responsibilities of lenders. ARLA recognised in *McCutcheon v Level Eighteen Limited – Thirsty Liquor Wickman Way* [2021] NZARLA 26, the way a customer organises their finances is simply not a matter related to licensing under the Act. Therefore, a customer's payment method is not a matter that can be the subject of an LAP.
- This provision is a reaction to recent media reports on BNPL schemes being available in bottle stores and there is no evidence to show the extent of this issue.
- The provision should be removed until the Ministry for Business and Innovation has completed their work into how the BNPL scheme can be more effective (commenced in November 2021).

Staff recommend that the clause is retained but slightly amended and with a definition of 'buy now, pay later' and 'consumer' included.

5.7.1.i Licensees are prohibited from accepting 'buy now pay later' as a method of payment for the sale or supply of alcohol to any ~~customer~~ consumer whether remotely or on premises. ~~regardless of whether the 'buy now pay later' is executed through a third party or not.~~ This condition does not apply to payments made by a standard bank credit card.

Removing the reference to a 'third party or not' will provide certainty that the clause does not include trade accounts and aligns with the definition of BNPL.

The BNPL definition has been drafted using Ministry for Business and Innovation information:

Where consumers are able to receive goods and services immediately, paid for by the 'buy now, pay later' provider. The consumer then pays back the provider in instalments over a specified period (usually one to three months) without paying interest.

And the definition of 'consumer' is from the Consumers Guarantee Act:

Anyone who buys products or services that are ordinarily for personal or household use.

It is anticipated that these two definitions will provide clarity on what the clause intends and reinforce that this clause does not apply to trade accounts.

Note - while it is intended to discuss this matter in the open section of the meeting, legal advice has been sought and should it be requested from the Committee, a resolution may be passed to exclude the public to hold these discuss the advice received.

2. Restrictions on standalone bottle stores in areas of deprivation 7 and above (clause 5.5)

5.5 Further issuing of standalone bottle store off-licences in the district

5.5.1 There is a presumption against the issuing of new off-licences for standalone bottle stores in Tuakau, Te Kauwhata, Huntly, Ngaruawahia and Raglan as well as other district localities where the deprivation level is 7 or higher unless it is demonstrated to the DLC that a new standalone bottle store would not result in significant adverse effects including:

- i. the amenity and good order of the locality being reduced to more than a minor extent;*
- ii. any other potential adverse effect which may give rise to alcohol-related harm.*

5.5.2 For the purposes of clause 5.5.1, a bottle store associated with a hotel or tavern is not a standalone bottle store.

5.5.3 For the purposes of clause 5.5.1, an off-licence associated with a distillery, brewery or winery, and established primarily for the purpose of selling alcohol products is not a standalone bottle store.

Most submitters were supportive of further restrictions on standalone bottle stores in areas of deprivation 7 and above due to the perception that there are already too many standalone bottle stores and the harm caused by alcohol.

Alcohol Healthwatch (submission ID 4714) submitted that the restrictions should go further and should be capped at current numbers in those areas of deprivation 7 and above, a new cap should apply across the district in areas that have a deprivation of 7 and below and also include tavern bottle stores. Tamahere Community Committee (submission index 4706) also requested that this provision applies to the entire district.

Several submitters were opposed to this clause for the following reasons:

- It will result in a commercial advantage for supermarkets and grocery stores and will not solve the issues of alcohol that the policy is referring to.
- The district is growing and therefore communities need additional services including retail.
- Some district communities do not have a standalone bottle store.
- The district is not already overrepresented compared with the national average of retail off licences per population.
- There hasn't been a dramatic increase in the number of off-licences since the LAP was first developed.

Staff recommend that this provision is retained with its focus on more deprived areas in the district to help prevent further harm caused by alcohol. Waikato district has several towns with high rates of deprivation, a higher proportion of Māori residents and several deprived towns that have a younger median age compared with the district median (for example, the median age in Huntly West is 28.6 years old compared with the district median of 37.6 years old).

Research shows adults living in more deprived areas are more likely to live near alcohol outlets and it is evident that Māori and youth are disproportionately impacted by alcohol harm.

Early engagement submissions clearly showed that there was support in the community for further restrictions on standalone bottle stores (refer to pages 2 and 3 of this report for this data).

3. Differentiating between different types of off-licences

Several submitters noted that there should be no differentiation between different types of off-licences - clauses 5.3.2, 5.4.1 and 5.5.1 only apply to bottle stores. Reasons for this view included:

- Separating bottle stores from other types of off licences provides an advantage to other off licences, for example supermarkets have an advantage over bottle stores and creates an unlevel playing field.
- Reducing the negative effects of alcohol consumption is not caused by differentiating between the various off-licences.
- There is no evidence that the harm caused by excessive alcohol consumption is minimised by licence type differentiation.

In addition, Super Liquor Holdings (submission ID 4703) noted disagreement with the 'kinds of products to be sold' (clause 5.7.1(c)) discretionary condition for off-licences with it potentially applying to some licensees and not others creating an unlevel playing field. If a product is not appropriate for sale and consumption, then it shouldn't apply on a case-by-case basis, rather it should apply universally to all off-licences.

Staff recommend that this differentiation remains for the following reasons:

- Nationally, 75% of alcohol is bought from off-licences (43% from bottle stores, 32% from supermarkets).¹
- There are around 3000 off-licences nationwide with around a third standalone bottle stores and 10% for grocery stores and supermarkets respectively².
- Supermarkets and grocery stores are limited in the type of alcohol they can sell (less than 14.85% alcohol) meaning bottle stores sell alcohol with higher levels of alcohol per volume. Higher alcohol levels can potentially lead to more harm.
- By their very nature, there is likely to be more bottle stores within a community than supermarkets or grocery stores. Evidence shows the easier the access to alcohol, the greater the risk of harm.

4. Remote sale provisions (clause 5.7)

The draft policy includes two new clauses related to remote sales to reflect the large increase in online sales due to COVID-19 lockdowns. Several submitters (General Distributors Ltd (submission ID 4710), Super Liquor Holdings (submission ID 4703), Tasman Liquor (submission ID 4692)) objected to clause 5.7.i.

5.7.i. The licensee must take reasonable steps to verify that the buyer and the receiver of an alcohol delivery is not under 18 years of age, and that the receiver (where present) is not intoxicated.

Reasons for opposition to the clause included:

- There is no research to suggest there is a problem with remote sales in the district;
- The clause would require a delivery driver to return the alcohol to the store if an address is unattended and the driver was unable to verify age or assess intoxication. This would lead to an inefficient process, particularly for supermarkets who deliver groceries of which alcohol is just one/several items.
- The clause would prevent sellers from delivering alcohol if the address was unattended despite this being legal under the SSAA.
- Courier/delivery drivers are not trained to assess the intoxication levels of individuals.
- The minimum age provision is not needed as it is a legal requirement under the SSAA.
- The clause is outside of the scope of a LAP (section 77 of SSAA) and if it remains, should be a discretionary condition.

On the other hand, Alcohol Healthwatch (submission ID 4714) recommends that Council considers stricter provisions for remote sales such as specific wording on packaging alerting the driver to the fact the parcel contains alcohol and requiring ID checks if the receiver appears to be under 18 years old.

¹ Case for Change. Accessed 21 September 2022, <https://www.actionpoint.org.nz/off-licence-case-for-change>

² The Alcohol Industry in New Zealand. Accessed 18 September 2022, <https://www.actionpoint.org.nz/the-alcohol-industry-in-new-zealand>

Staff recommend that clause 5.8.1 is amended to remove the requirement for the driver to determine that the receiver is not intoxicated:

5.8.1 The licensee must take reasonable steps to verify that the buyer and the receiver of an alcohol delivery is not under 18 years of age. ~~and that the receiver (where present) is not intoxicated.~~

It is unreasonable to expect the courier/delivery driver to assess levels of intoxication as they do not receive training on how to do this. Furthermore, this would also place a legal obligation on Council inspectors to monitor compliance with this provision which is difficult to do.

Despite the SSAA stipulating 18 years old as the minimum age to purchase and receive alcohol, staff recommend we retain the clause to reinforce that the licensee will have to take reasonable steps to verify the age of the buyer and receiver.

5. Te Kauwhata bottle stores

Several submissions (submission indexes 4604, 4627, 4662, 4664, 4667, 4670, 4672, 4673, 4675, 4679) were received specifically in relation to a new standalone bottle store in Te Kauwhata. The majority were in opposition due to the harm alcohol causes in the community and the fact alcohol can be purchased from the local tavern or supermarket. Several submissions noted that Te Kauwhata does need a bottle store to increase competition and enable a better selection of alcoholic products.

It should be noted that a considerable number of the submissions received as part of early engagement were related to a standalone bottle store in Te Kauwhata.

If a licence application for a standalone bottle store in Te Kauwhata is received in the future, this will be a matter for the District Licensing Committee guided by the Local Alcohol Policy.

6. Raglan opening hours

Several submissions, including one from the Raglan Community Board (sub index 4713), were received requesting that the closing time for Raglan on-licences is extended from its current 1am time. This is due to the fact venues only have a short window of time to operate with most people entering venues later in the evening. This limits the calibre of artists prepared to play in Raglan.

A 1am closing time also leads to people leaving venues at the same time that can then lead to confrontations and a culture of 'after parties'.

One submitter (submission index 4695) suggested the maximum trading hours for on-licences in Raglan are changed to:

- i. Monday to Sunday: 9.00am to 3.00am the following day.
- ii. New Year's Eve: 9.00am to 4.00am the following day.

Staff recommend that opening hours in Raglan do not change. Evidence shows that later closing hours can lead to more harm due to increased alcohol consumption. It should also be noted that any licence application can include a request to have trading hours exceed what is stipulated in the LAP.

7. Reduction of maximum trading hours

Alcohol Healthwatch (submission ID 4714) has recommended that maximum trading hours are reduced as follows:

Off-licences

Currently Monday to Sunday 7.00am to 10.00pm.

The submitter suggests a change to Monday to Sunday 9.00am or 10.00 am to 9.00pm.

Note that Tamahere Community Committee also recommended that off-licences opening hour changes from 7.00am to 10.00am as they did not see the need for these businesses to open before 10.00am.

Staff recommend the current maximum trading hours for off-licences remain as they are as they are in line with what is stipulated in the SSAA.

On-licences

The submitter supports the 1.00am closing time but wishes to see the opening time of 7.00am changed to align with the national maximum on-licence trading hours of 8am to 1.00am.

Staff recommend the opening time is changed from 7.00am to 8.00am to align with what is in the SSAA. Also, all current on-licences are licensed from 8.00am.

Club licences

Currently 9.00am to 1.00am the following day. The submitter supports this but noted a typo in the draft of 1.00pm instead of 1.00am. This has been corrected in the draft provisional policy.

Special licences

Currently determined on a case-by-case basis, but trading hours cannot be longer than Monday to Sunday 7.00am to 1.00am the following day.

The submitter noted that this should **not** be decided on a case-by-case basis but rather should be set at 8.00am to 1.00am the following day.

Staff recommend that maximum trading hours remain as they are as they are in line with the SSAA.

8. Discretionary conditions

Alcohol Healthwatch (submission ID 4714) and Tamahere Community Committee (submission ID 4706) both recommended additional discretionary conditions are included in the LAP:

- The 'total amount' of alcohol advertising that is visible within 500m from schools and early childhood facilities.
-

- Restrictions on the sale of single alcoholic beverages (known as single sales) specified as container sizes of 500ml or less.
- The discretionary condition that relates to the kinds of product sold is extended to also cover the price it is sold.
- For on-licences (clause 4.8.1), CCTV requirements are extended to cover the exterior exit areas along with associated carpark up to 50m from each exit.
- For off-licences, the additional words in yellow in clause 5.7.1(g) are added *CCTV is installed in suitable locations to monitor vulnerable areas (areas that are not easily or continuously monitored by staff) which should include areas inside the building and car parks and loading bays.*
- For special licences, any event with over 1000 attendees should require an Event Alcohol Risk Management Plan.

Staff recommend that the suggested discretionary clauses are not included in the LAP for the following reasons:

- There is no evidence, at this stage, that the issues some of these conditions may be trying to solve are problematic.
- The CCTV clauses could be seen as unreasonable due to cost impositions on licensees.
- The Special Licence application form includes information similar to what's required in an Alcohol Risk Management Plan.

9. Additions to sensitive sites

Some submissions have requested that the list of sensitive sites in the LAP is broadened. Sensitive sites currently include school, early childcare facility, library, place of worship, public park or residential area. Suggested additions include marae, skate parks, community centres, medical facilities, drug and alcohol rehabilitation centres.

Staff recommend that these additions are not made to the list of sensitive sites as there is enough scope in the SSAA to provide adequate protection to these areas.

Alcohol Healthwatch (submission ID 4714) also recommends that there should be no exception to the no new bottle store off-licences being issued within 100m of a sensitive site (see clause 5.4.1) provision. The rule can be disregarded if the applicant can show there will be no significant impacts on the sensitive sites.

Staff recommend that there are no changes to these clauses as the District Licensing Committee needs to have an element of discretion when considering alcohol licence applications.

10. Other changes made to the draft policy

Change	Rationale
<p>The following clauses were added into the draft provisional policy:</p> <p>On-licence</p> <p>Clause 4.1 Introduction</p> <p>4.1.1. For the purposes of clauses 4.2.1, 4.3.1, 4.3.2, 4.4.1 and 4.4.2, a licensed premises that changes ownership but continues to hold an on-licence is not considered to be a new licensed premises.</p> <p>4.1.2. For the purposes of clauses 4.2.1, 4.3.1, 4.3.2, 4.4.1 and 4.4.2, a premises that has not been subject to an on-licence for more than twelve (12) months prior to the filing of the application shall be considered as being a new premises being licensed for the first time. Premises that have been subject to an on-licence in the 12 months prior to filing the application are not considered as being new premises being licensed for the first time.</p>	<p>These clauses were in the 2017 policy but were removed in the 2022 draft policy. They have been added back in to provide clarity on what constitutes a new on-licence.</p>
<p>The following clauses were added into the draft provisional policy:</p> <p>Off-licences</p> <p>Clause 5.1 Introduction</p> <p>5.1.1 For the purposes of clauses 5.2.1, 5.3.1, 5.3.2, 5.4.1 and 5.5.1, a licensed premises that changes ownership but continues to hold an off-licence is not considered to be a new licensed premises.</p> <p>5.1.2 For the purposes of clauses 5.2.1, 5.3.1, 5.3.2, 5.4.1 and 5.5.1, a premises that has not been subject to an off-licence for more than twelve (12) months prior to the filing of the application shall be considered as being a new premises being licensed for the first time.</p> <p>Premises that have been subject to an off-licence in the 12 months prior to filing the application are not considered as being new premises being licensed for the first time.</p>	<p>These clauses were in the 2017 policy but were removed in the 2022 draft policy. They have been added back in to provide clarity on what constitutes a new off-licence.</p>

Change	Rationale
<p>The following clause was added into the draft provisional policy:</p> <p>Special licences 6.1.1 Introduction</p> <p>6.1.1 For the purposes of clauses 6.2.1, 6.2.2, 6.3.1 and 6.4.1 any premises that have not been subject to a club licence in the twelve (12) months prior to the application shall be considered as being a new premises being licensed for the first time.</p>	<p>This clause was in the 2017 policy but were removed in the 2022 draft policy. They have been added back in to provide clarity on what constitutes a new off-licence.</p>
<p>The following clause was added into the draft provisional policy.</p> <p>Clause 5.5.4</p> <p><u>Other off-licences</u></p> <p>5.4.4 Except for standalone bottle store off-licences as provided in clause 5.4.1, this policy does not limit the number of other types of off-licence premises in the Waikato district or restrict the issue of new licences, provided the other policy criteria are met.</p>	<p>This clause was in the 2017 policy but removed from the draft policy. A submitter requested it was reinstated and staff agree it provides certainty on what clause 5.4 is trying to achieve.</p>

5.1 Options

Ngaa koowhiringa

There are two reasonable and viable options for the Committee to consider. This assessment reflects the level of significance (see paragraph 6.1) and Council's legislative requirements. The options are set out below.

Option 1. Council adopts and publicly notifies the Provisional Local Alcohol Policy (option 2 in the Statement of Proposal).

Option 2. Council undertakes further consultation and review of the policy.

Staff recommend Option 1 as feedback indicates general support for the changes suggested for the policy.

5.2 Financial considerations

Whaiwhakaaro puutea

There are no material financial considerations associated with the recommendations of this report.

5.3 Legal considerations

Whaiwhakaaro-aa-ture

Staff confirm that the staff recommendation complies with the Council's legal and policy requirements. Consultation has been undertaken in accordance with section 83 of the Local Government Act 2001. Council is required to provide an opportunity to persons interested to present their views to the local authority.

In addition to meeting procedural requirements, the draft provisional policy has been reviewed for legal compliance.

5.4 Strategy and policy considerations

Whaiwhakaaro whakamaaherehere kaupapa here

The report and recommendations are consistent with the Council's policies, plans and prior decisions.

5.5 Maaori and cultural considerations

Whaiwhakaaro Maaori me oona tikanga

Although the decision being sought through this report does not directly relate to Maaori, the disproportionate negative impact alcohol has on Maaori has been recognised as part of the policy review and as a result restrictions were included in the draft Policy to help minimise these negative impacts. Mana whenua/iwi were invited to make a submission through the formal consultation process.

5.6 Climate response and resilience considerations

Whaiwhakaaro-aa-taiao

The matters in this report have no known impact on climate change or resilience for the Council.

5.7 Risks

Tuuraru

There is a risk the Provisional Policy will be appealed. Appeals can only be made by those who submitted as part of formal consultation on the draft Local Alcohol Policy.

Appeals are made to the Alcohol Regulatory and Licensing Authority who organises the hearing and determines if the appealed element of the provisional policy is unreasonable.

6. Significance and engagement assessment Aromatawai paahekoheko

6.1 Significance Te Hiranga

The decisions and matters of this report are assessed as of medium significance, in accordance with the Council's Significance and Engagement Policy.

6.2 Engagement Te Whakatuutakitaki

Highest level of engagement	Inform	Consult	Involve	Collaborate	Empower
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The community and stakeholders were consulted in accordance with section 83 of the Local Government Act 2002.					

External stakeholders that have been or will be engaged with:

Planned	In Progress	Complete	
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Internal
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Community Boards/Community Committees
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Waikato-Tainui/Local iwi and hapuu
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Affected Communities
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Affected Businesses

7. Next steps Ahu whakamua

Once the provisional policy is adopted, the LAP will be notified for one month during which time it can be appealed. All submitters will be contacted by email to notify them that can appeal the provisional LAP.

A public notice will also be placed in local newspapers (as required under the SSAA) to advise that the provisional policy has been adopted, the right of appeal against it and the grounds on which an appeal may be made. Information will also be published on Council's website and a post published on Council's Facebook page. A media release will also be issued.

If there are no appeals in the one-month period, the policy will become operative.

8. Confirmation of statutory compliance Te Whakatuuturutanga aa-ture

As required by the Local Government Act 2002, staff confirm the following:

The report fits with Council's role and Committee's Terms of Reference and Delegations.	Confirmed
The report contains sufficient information about all reasonably practicable options identified and assessed in terms of their advantages and disadvantages (<i>Section 5.1</i>).	Confirmed
Staff assessment of the level of significance of the issues in the report after consideration of the Council's Significance and Engagement Policy (<i>Section 6.1</i>).	Medium
The report contains adequate consideration of the views and preferences of affected and interested persons taking account of any proposed or previous community engagement and assessed level of significance (<i>Section 6.2</i>).	Confirmed
The report considers impact on Maaori (<i>Section 5.5</i>)	Confirmed
The report and recommendations are consistent with Council's plans and policies (<i>Section 5.4</i>).	Confirmed
The report and recommendations comply with Council's legal duties and responsibilities (<i>Section 5.3</i>).	Confirmed

9. Attachments

Ngaa taapirihanga

Attachment 1 – Draft Provisional Local Alcohol Policy – tracked changes version

Attachment 2 – Draft Provisional Local Alcohol Policy – clean version

Attachment 3 – Statement of Proposal on the Draft Local Alcohol Policy

Attachment 4 – Submissions received as part of early engagement

Provisional Local Alcohol Policy – tracked changes version

Policy Owner	Chief Executive
Policy Sponsor	General Manager – Customer Support
Approved By:	Policy and Regulatory Committee
Approval Date:	
Resolution Number	
Effective Date	
Next Review Date:	2028

Relevant Documents/Legislation

Sale and Supply of Alcohol Act 2012
Alcohol Control Bylaw 2020

Policy Review

Pursuant to section 97 of the Sale and Supply of Alcohol Act (**Act**), Waikato District Council (**Council**) must review its Local Alcohol Policy (**LAP**) no later than six years after it came into force and no later than six years after the most recent review was completed. If directed by Council, a LAP can be reviewed or amended earlier.

Policy Statements

I. INTRODUCTION AND OVERVIEW

I.1 The Act established a national framework for regulating the sale and supply of alcohol. The object of the Act is 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.

I.2 The Act enables local authorities to develop a LAP to guide expectations for the development of alcohol licensing within their district. The LAP is a set of policies, made by the Council in consultation with its community, about the sale and supply of alcohol in its geographical area.

I.3 The Act requires the District Licensing Committee (**DLC**) and the Alcohol Regulatory and Licensing Authority (**ARLA**) to have regard to the content of any relevant LAP when making decisions under the Act. This allows local authorities, in consultation with their communities and stakeholders, to have greater influence over the local licensed environment.

I.4 Section 77 of the Act details what policies relating to licensing may be included in a LAP. These include:

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

No other matters may be included.

2 OBJECTIVES OF THE LAP

2.1 The objectives of this policy are to:

- Reflect the views of local communities as to the appropriate location, number, hours and conditions that should be applied to licensed premises within their communities;
- Balance the views of local communities regarding the sale, supply and consumption of alcohol, while addressing the statutory requirements of the Act to minimise the harm caused by excessive or inappropriate consumption of alcohol;
- Provide certainty and clarity for applicants and the public as to whether a proposed licence application will meet the criteria of the LAP;
- Provide effective guidance to the DLC and ARLA when making decisions.

3 DEFINITIONS

Act	The Sale and Supply of Alcohol Act 2012
Alcohol Regulatory and Licensing Authority	The Alcohol Regulatory and Licensing Authority established under section 169(1) of the Sale and Supply of Alcohol Act 2012.
Authorised Customer	In relation to premises that hold a club licence, an authorised customer is: <ul style="list-style-type: none"> a. a member of the club concerned; or b. on the premises at the invitation of, and is accompanied by, a member of the club concerned; or c. an Authorised Visitor.
Authorised Visitor	In relation to premises a that hold a club licence, an authorised visitor means a member of another club with which the club concerned has an arrangement for reciprocal visiting rights for members
Bottle Store	A retail premises where at least 85 per cent of the annual sales revenue is expected to be earned from the sale of alcohol for consumption somewhere else.
<u>Buy now, pay later</u>	<u>Where consumers are able to receive goods and services immediately, paid for by the 'buy now, pay later' provider. The consumer then pays back the provider in instalments over a specified period (usually one to three months) without paying interest.</u>
Cafe	Has the same meaning as 'restaurant'.
Class I Restaurant	A restaurant that has or applies for an on-licence and <ul style="list-style-type: none"> a. has, in the opinion of the territorial authority, a significant separate bar area; and b. in the opinion of the territorial authority, operates that bar area at least one night a week in the manner of a tavern.
Club	A body that— <ul style="list-style-type: none"> 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 b. is a body corporate whose object is not (or none of whose objects is) gain; or c. holds permanent club charter.

Club Licence	A club licence premises is one where the sale, supply and consumption of alcohol is authorised on the premises from which it is sold to authorised customers and guests. Common examples include sports clubs and chartered clubs such as an RSA or Workingmen's Club. (Refer to section 21 of the Act).
<u>Consumer</u>	<u>Anyone who buys products or services that are ordinarily for personal or household use.</u>
Conveyance	An aircraft, coach, ferry, hovercraft, ship train or other vehicle used to transport people and includes part of a conveyance.
District Licensing Committee (DLC)	The Waikato District Licensing Committee appointed pursuant to section 186 of the Act.
Early Childhood Facility	Includes any crèche, childcare centre, kindergarten, kohanga reo, playcentre, Whānau Āwhina Plunket rooms and any other place (excluding a school) where five or more children receive care or education on a commercial basis.
Facility	Includes an early childcare facility, library, place of worship public park or school.
Grocery Store	A shop that— a. has the characteristics normally associated with shops of the kind commonly thought of as grocery shops; and b. comprises premises where— i. a range of food products and other household items is sold; but ii. the principal business carried on is or will be the sale of food products.
Hotel	A premises used or intended to be used in the course of business principally for providing to the public— a. lodging; and b. alcohol, meals, and refreshments for consumption on the premises.
Library	A Waikato District Council library located in Huntly, Meremere, Ngaruawahia, Raglan, Te Kauwhata or Tuakau.
Maximum Trading Hours	The maximum hours for which a licence may be granted permitting the sale, supply or consumption of alcohol.
Member	In relation to a club, means a person who— a. has expressly agreed in writing to comply with the club's rules; and b. is recognised as a member.
New Licence	A premises that has not been subject to a licence (with the exception of Special Licences) for more than 12 months prior to the filing of an application. <i>Note: a licensed premises that changes ownership but continues to hold a licence is not considered to be a new licensed premises.</i> <i>A change of licence type is considered an application for a new licence.</i>
Off-licence	Where alcohol is authorised to be sold from the premises for consumption at a location other than where it was purchased or delivered away from the premises. Common examples include bottle stores, supermarkets and grocery stores (refer to section 17 of the Act). <i>Note: Policies relating to off-licences do not apply to applications for off-licences endorsed under sections 39 or 40 of the Act relating to auctioneers and remote sellers.</i>

On-licence	Where the sale, supply and consumption of alcohol is authorised on the premises. Common examples include hotels, taverns and restaurants (refer to section 14 of the Act). <i>Note: Policies relating to on-licences also apply to BYO restaurants and caterers.</i>
One-way Door Restriction	In relation to a licence, is a requirement that during the hours stated in the restriction - a. no person is to be admitted (or re-admitted) into the Premises unless he or she is an exempt person; and 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.
Outdoor Dining Area	An area of a premises holding an on-licence or club licence that is outside of the building on any part of a public footpath, pavement or other public place.
Place of Worship	Includes any church, mosque or other facility designed primarily for worship and related religious activities
Premises	Premises includes: a. A Conveyance; and b. Includes part of a premises; and c. In relation to a licence, means the premises it was issued for.
Prohibited Persons	Persons to whom alcohol cannot be served including minors and intoxicated persons and in the case of Clubs any person who is not an Authorised Customer.
Public Park	Any park, reserve, playground, garden or similar public place maintained by the local authority for recreation purposes.
Restaurants	Premises that— a. are not a conveyance; and 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.
School	Includes any primary, intermediate or secondary school and any kurakaupapa.
Site	The physical premises that relates to the particular licence application.
Special Licence	A type of licence that allows the sale and consumption of alcohol at events or occasions on premises that are unlicensed, or at licensed premises when the sale of alcohol would otherwise be unlawful (refer to section 22 of the Act).
Supermarket	Premises are a supermarket with a floor area of at least 1000m ² including any separate departments set aside for such foodstuffs as fresh meat, fresh fruit and vegetables, and delicatessen items.
Tavern	Premises used or intended to be used in the course of business principally for providing alcohol and other refreshments to the public; but does not include an airport bar.
Waikato District Plan	The Waikato District Plan that is operative at the date the application is being assessed.

4 ON LICENCE POLICIES

4.1 Introduction

4.1.1. For the purposes of clauses 4.2.1, 4.3.1, 4.3.2, 4.4.1 and 4.4.2, a licensed premises that changes ownership but continues to hold an on-licence is not considered to be a new licensed premises.

4.1.2. For the purposes of clauses 4.2.1, 4.3.1, 4.3.2, 4.4.1 and 4.4.2, a premises that has not been subject to an on-licence for more than twelve (12) months prior to the filing of the application shall be considered as being a new premises being licensed for the first time. Premises that have been subject to an on-licence in the 12 months prior to filing the application are not considered as being new premises being licensed for the first time.

4.2 Location of on-licence premises by reference to broad areas

4.2.1 New on-licence premises being licensed for the first time shall be restricted to:

1. areas zoned under the Waikato District Plan to allow commercial activities as permitted activities; or
2. locations authorised by resource consent.

4.23 Location of on-licence premises by reference to proximity to premises of a particular kind(s)

4.23.1 When considering any new on-licence application in respect of new premises being licensed for the first time, the DLC or ARLA shall have regard to the proximity of the proposed premises to other licensed premises where this is considered relevant.

4.23.2 No on-licence for a new tavern, located in an area zoned under the Waikato District Plan that does not allow commercial activities, shall be located within five kilometres of any existing tavern or hotel that holds an on-licence, measured from the closest boundary point of the proposed tavern to the closest boundary point of the existing premises.

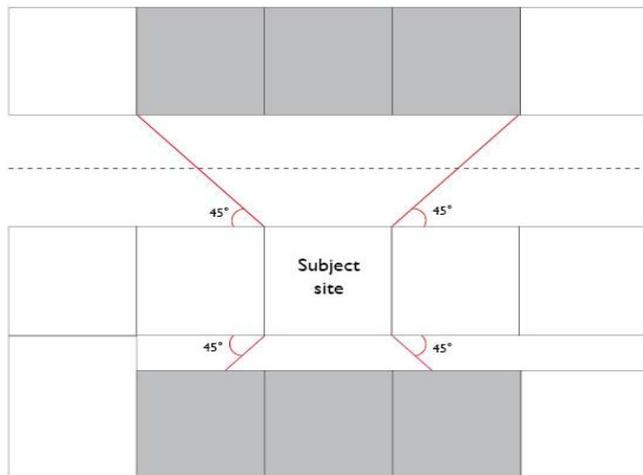
4.34 Location of on-licence premises by reference to proximity to facilities of a particular kind(s)

4.34.1 No new on-licence shall be issued in respect of:

- i. a tavern; or
- ii. a class I restaurant; or
- iii. a hotel with a significant bar area operating in the manner of a tavern; or
- iv. any other premises with a significant bar area operating in the manner of a tavern –

where the site directly borders any school, early childcare facility, library or place of worship existing at the time the licence application is made unless it can be demonstrated to the DLC that the hours, signage or operation of the premises will have no significant impact on those facilities and/or persons using those facilities. 'Directly borders' includes across any road from such a facility as shown in Figure I.

Figure I: Proximity of New Premises Directly Bordering a Facility



4.34.2 In any zone other than one zoned under the Waikato District Plan to allow commercial activities as permitted activities, in respect of:

- i. a tavern; or
- ii. a class I restaurant; or
- iii. a hotel with a significant bar area operating in the manner of a tavern; or
- iv. any other premises with a significant bar area operating in the manner of a tavern

there shall be a minimum of 100 metres between the closest boundary point of the proposed premises and the closest boundary point of any school, early childcare facility, library, place of worship, public park or residential dwelling existing at the time the licence application is made unless it can be demonstrated to the DLC that the hours, signage or operation of the premises will have no significant impact on those facilities and/or persons using those facilities.

4.34.3 Renewal of a licence shall be unaffected should such a facility later establish at a site within 100 metres of the premises.

4.45 Further issuing of on-licences

4.45.1 This policy does not limit the number of on-licence premises in the Waikato district or restrict the issue of new licences, provided the other policy criteria are met.

4.56 Maximum trading hours for on-licences

4.56.1 The following maximum trading hours apply to all on-licences in the Waikato district:

Maximum trading hours	
i.	Monday to Sunday: 7.00am to 1.00am the following day.
ii.	New Year's Eve: 7.00am to 2.00am the following day.
iii.	In any outdoor dining area located in a public area, the trading hours shall not exceed 9.00am to 11.00pm. Outside of these hours the area shall be subject to any alcohol control bylaw that is in force in the area.

- | |
|---|
| iv. Any time to any guest residing on the premises. |
|---|

4.67 One way door restrictions

4.67.1 A one-way door restriction may be applied to any licence at the time of its issue or renewal when the closing time is later than midnight if the DLC or ARLA believe this is warranted. The restriction shall apply after midnight.

4.78 Discretionary conditions of on-licences

4.78.1 In accordance with sections 110(1) and 117 of the Act, the DLC or ARLA may impose discretionary conditions (in addition to those required by section 110(2)) on any licence or renewed licence. These may include conditions related to the following, or any other reasonable condition:

- Prohibited persons;
- Management of premises;
- People or kinds of people to be served;
- Low and non-alcoholic beverages;
- Transport options;
- Exclusion of the public;
- Advertisements, signage, display and promotion of alcohol;
- Application of the principles of 'Crime Prevention Through Environmental Design'. On-licence premises, where appropriate, will give effect to the principles of Crime Prevention Through Environmental Design where they achieve outcomes (where applicable to the individual premises) including:
- Bar area
 - Bar staff have good visibility of entire premises;
 - Bar area is open with no obstructions affecting monitoring of premises;
 - Cash registers are front facing;
- Lighting
 - Internal lighting is suitable;
 - Lighting allows staff to monitor patrons;
 - Lighting allows staff to check IDs;
 - Internal lighting can be raised in an emergency and at closing time;
 - External lighting is suitable;
- Internal layout
 - The premises is laid out so staff can monitor patrons at all times;
 - Mirrors or CCTV are installed where there may be blind spots;
 - Bar is easily approached by customers;
- CCTV
 - CCTV is installed in suitable locations to monitor vulnerable areas; (areas that are not easily or continuously monitored by staff);
 - Customers are aware of the CCTV system;
- Entrances and exits
 - Entrances and exits are visible from behind the bar area;
 - CCTV is installed to monitor blind entrances and exits;
- Outdoor drinking areas
 - Outdoor drinking areas are monitored by bar and/or security staff;
 - Lighting allows staff to monitor patrons;
 - Outdoor drinking areas are well defined from surrounding external environment;
 - Pavement creep is not evident;
- Staff
 - Relevant staff understand how to operate the CCTV system;
 - There are sufficient staff to ensure control of the premises during trading hours.

4.78.2 For any licence issued or renewed in respect of a hotel or tavern, the DLC or ARLA shall impose a condition designating the premises as either supervised or restricted.

5 OFF-LICENCE POLICIES

5.1 Introduction

5.1.1 For the purposes of clauses 5.2.1, 5.3.1, 5.3.2, 5.4.1 and 5.5.1, a licensed premises that changes ownership but continues to hold an off-licence is not considered to be a new licensed premises.

5.1.2 For the purposes of clauses 5.2.1, 5.3.1, 5.3.2, 5.4.1 and 5.5.1, a premises that has not been subject to an off-licence for more than twelve (12) months prior to the filing of the application shall be considered as being a new premises being licensed for the first time. Premises that have been subject to an off-licence in the 12 months prior to filing the application are not considered as being new premises being licensed for the first time.

5.2 Location of off-licence premises by reference to broad areas

5.2.1 New off-licence premises being licensed for the first time shall be limited to:

- i. areas zoned under the Waikato District Plan that allow commercial activities as permitted activities; or
- ii. locations authorised by resource consent.

5.23 Location of off-licence premises by reference to proximity to premises of a particular kind(s)

5.23.1 When considering any new off-licence application for new premises being licensed for the first time, the DLC or ARLA shall have regard to the proximity of the proposed premises to other licensed premises where this is considered relevant.

5.23.2 No new bottle store off-licence shall be issued for any premises located within one kilometre of any existing bottle store, licensed supermarket or grocery store (the **existing premises**), measured from the closest boundary point of the proposed bottle store to the closest boundary point of the existing premises.

5.34 Location of off-licence premises by reference to proximity to facilities of a particular kind(s)

5.34.1 No new bottle store off-licences shall be issued for any premises located within 100 metres of any school, early childcare facility, library, place of worship or public park (the **facility**) existing at the time the licence application is made, measured from the closest boundary of the proposed new bottle store to the closest boundary point of the facility, unless:

- i. it can be demonstrated to the DLC that the hours, external alcohol-related signage or operation of the premises will have no significant impact on those facilities and/or persons using those facilities; and
- ii. the applicant demonstrates how the outcomes listed in clauses 5.67.1(g) and (h) will be achieved.

5.34.2 Renewal of a licence shall be unaffected should such a facility later establish at a site within 100 metres of the premises.

5.45 Further issuing of standalone bottle store off-licences in the district

5.45.1 There is a presumption against the issuing of new off-licences for standalone bottle stores in Tuakau, Te Kauwhata, Huntly, Ngaruawahia and Raglan as well as other district localities where the deprivation level is 7 or higher unless it is demonstrated to the DLC that a new standalone bottle store would not result in significant adverse effects including:

- i. the amenity and good order of the locality being reduced to more than a minor extent;
- ii. any other potential adverse effect which may give rise to alcohol-related harm.

5.45.2 For the purposes of clause 5.45.1, a bottle store associated with a hotel or tavern is not a standalone bottle store.

5.45.3 For the purposes of clause 5.45.1, an off-licence associated with a distillery, brewery or winery, and established primarily for the purpose of selling alcohol products is not a standalone bottle store.

Other off-licences

5.5.4 Except for standalone bottle store off-licences as provided in clause 5.5.1, this policy does not limit the number of other types of off-licence premises in the Waikato district or restrict the issue of new licences, provided the other policy criteria are met.

5.56 Maximum trading hours for off-licences

5.56.1 The following maximum trading hours apply to all off-licences in the Waikato district:

Maximum trading hours
Monday to Sunday 7.00am to 10.00pm

5.56.2 For remote sellers, alcohol may be sold remotely at any time on any day but alcohol must not be delivered on Christmas Day, Good Friday, before 1pm on Anzac Day or between 11:00pm and 6:00am the following day.

5.67 Discretionary conditions of off-licences

5.67.1 In accordance with sections 116(1) and 117 of the Act, the DLC may impose discretionary conditions in relation to the following matters (in addition to those required by section 116(2)) of the Act) on any new off-licence or renewed off-licence. These may include conditions related to the following, or any other reasonable condition:

- a. Prohibited persons;
- b. People or kinds of people to be served;
- c. Kinds of alcohol to be sold;
- d. Designation of the premises as a supervised area or restricted area;
- e. Display of nationally consistent safe drinking messages and material;
- f. Advertisements, signage and display of alcohol;
- g. Application of the principles of Crime Prevention Through Environmental Design (CPTED) - supermarkets, bottle stores and other off-licence premises where appropriate will give effect to the principles of CPTED where they achieve outcomes (where applicable to the individual premises) including:
 - o Lighting
 - Internal lighting enables passive surveillance by staff and active surveillance by CCTV;
 - Lighting allows customers to be seen as they enter the premises;

- Lighting allows staff to check IDs;
- External areas such as car parks and loading bays are well lit, subject to the requirements of any resource consent or district plan rule.
- Internal layout
 - General points of sale are positioned near the main entrance
- CCTV
 - CCTV is installed in suitable locations to monitor vulnerable areas (areas that are not easily or continuously monitored by staff)
 - Customers are aware of the CCTV system
- Staff
 - Relevant staff understand how to operate the CCTV system
 - There are staff to ensure control of the premises during trading hours
- h. External promotion and advertising such that at least 50 per cent of any store front glazing shall be transparent, consistent with CPTED guidelines and no more than 30 per cent of the external area of any side of the premises may contain alcohol related signage or advertising excluding the company and/or trading name.
- i. Licensees are prohibited from accepting '**buy now pay later**' as a method of payment for the sale or supply of alcohol to any customer whether remotely or on premises, ~~regardless of whether the 'buy now pay later' is executed through a third party or not.~~ This condition does not apply to payments made by a standard bank credit card.

5.67.2 For any licence issued or renewed in respect of a bottle store, the DLC or ARLA shall impose a condition designating the premises as either supervised or restricted.

5.78 Specific policies relating to remote sales

5.78.1 The licensee must take reasonable steps to verify that the buyer and the receiver of an alcohol delivery is not under 18 years of age, ~~and that the receiver is not intoxicated.~~

6 CLUB LICENCE POLICIES

6.1 Introduction

~~6.1.1 For the purposes of clauses 6.2.1, 6.2.2, 6.3.1 and 6.4.1 any premises that have not been subject to a club licence in the twelve (12) months prior to the application shall be considered as being a new premises being licensed for the first time.~~

6.2 Location of club licence premises by reference to broad areas

6.2.1 New club licence premises in respect of a sports or social club being licensed for the first time should be located at or in close proximity to the sports grounds or other facilities used by the club, if relevant.

6.2.2 New club licence premises in respect of a chartered club such as an RSA, Workingmen's, Cosmopolitan or similar type of club, being licensed for the first time shall be limited to:

- i. areas zoned under the Waikato District Plan to allow commercial activities as permitted activities; or
- ii. locations authorised by resource consent.

6.23 Location of club licence premises by reference to proximity to premises of a particular kind(s)

6.23.1 The DLC or ARLA shall have regard to the proximity of any proposed new club premises being licensed for the first time to any other existing premises when considering a new licence application.

6.34 Location of club licence premises by reference to proximity to facilities of a particular kind(s)

6.34.1 The DLC or ARLA shall have regard to the proximity of any proposed new club premises being licensed for the first time to any school, early childcare facility, library, place of worship, public park or residential area.

6.45 Further issuing of club licences in the district

6.45.1 This policy does not limit the number of club licence premises in the Waikato district or restrict the issue of new licences, provided the other policy criteria are met.

6.56 Maximum trading hours for club licences

6.56.1 The DLC or ARLA shall have regard to the days and hours of operation and the type of activities undertaken by the club, in setting club hours.

6.56.2 Subject to clause 6.56.3, the following maximum trading hours apply to all club licences in the Waikato district – Monday to Sunday 9.00am to ~~1.00pm~~ 00am the following day.

6.56.3 Returned Services Associations affiliated with the Royal New Zealand Returned Services Association and other club-licensed premises of a similar nature that are involved with ANZAC Day commemorations/civic services shall be permitted to trade from 5.00am on ANZAC Day.

6.67 One way door restrictions

6.67.1 A one-way door restriction may be applied to any licence at the time of its issue or renewal when the closing time is later than midnight if the DLC or ARLA believe this is warranted. The restriction shall apply after midnight.

6.78 Discretionary conditions of club licences

6.78.1 In accordance with sections 110(1) and 117 of the Act, the DLC or ARLA may impose discretionary conditions (in addition to those required by section 110(2)) on any licence or renewed licence. These may include conditions related to the following, or any other reasonable condition:

- Prohibited persons;
- Management of premises;
- People or kinds of people to be served;
- Low and non-alcoholic beverages;
- Transport options;
- Exclusion of the public.

6.78.2 In accordance with section 215(3), the DLC or ARLA should impose a condition on a club licence requiring a manager to be on duty:

- i. At all times at chartered clubs; and
- ii. At any other club when:
 - there are more than 50 patrons present; or
 - at any time after 10.00 pm.

7 SPECIAL LICENCE POLICIES

7.1 Maximum trading hours for special licences

7.1.1 No maximum trading hours for special licences are specified in this policy.

7.1.2 The DLC shall determine the trading hours for special licence applications on a case-by-case basis having regard to the criteria detailed in section 142 of the Act.

7.1.3 Where an application for a special licence is in respect of premises already subject to an on, off or club licence with the maximum hours permitted for that type of licence under this policy, a special licence with greater hours will only be issued in exceptional circumstances as determined by the DLC.

7.1.4 A special licence should only be issued with greater hours than the guideline set out below in exceptional circumstances as determined by the DLC:

Guideline maximum trading hours
Monday to Sunday 7.00am to 1.00am the following day

7.2 Discretionary conditions of special licences

7.2.1 In accordance with sections 146 and 147(1) of the Act, the DLC may impose discretionary conditions regarding the following matters, in addition to those required by section 147(3):

- Sale and supply to prohibited persons;
- People or kinds of people to be served;
- The kind(s) of alcohol that may be sold or delivered;
- The provision of food for consumption on the premises;
- The provision of low and non-alcoholic beverages;
- The provision of information relating to transport options;
- Exclusion of the public;
- Restricting the types of containers used for sale or supply;
- The filing of returns;
- Conditions of a kind, subject to which a licence may be issued under section 110 (on-licence or club licence) or 116 (off-licence);
- Any reasonable condition not inconsistent with the Act.

7.3 One-way door restrictions

7.3.1 The DLC may impose a one-way door condition on any licence where it believes this is warranted.

Provisional Local Alcohol Policy – clean version

Policy Owner	Chief Executive
Policy Sponsor	General Manager – Customer Support
Approved By:	Policy and Regulatory Committee
Approval Date:	
Resolution Number	
Effective Date	
Next Review Date:	2028

Relevant Documents/Legislation

Sale and Supply of Alcohol Act 2012
Alcohol Control Bylaw 2020

Policy Review

Pursuant to section 97 of the Sale and Supply of Alcohol Act (**Act**), Waikato District Council (**Council**) must review its Local Alcohol Policy (**LAP**) no later than six years after it came into force and no later than six years after the most recent review was completed. If directed by Council, a LAP can be reviewed or amended earlier.

Policy Statements

I. INTRODUCTION AND OVERVIEW

I.1 The Act established a national framework for regulating the sale and supply of alcohol. The object of the Act is 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.

I.2 The Act enables local authorities to develop a LAP to guide expectations for the development of alcohol licensing within their district. The LAP is a set of policies, made by the Council in consultation with its community, about the sale and supply of alcohol in its geographical area.

I.3 The Act requires the District Licensing Committee (**DLC**) and the Alcohol Regulatory and Licensing Authority (**ARLA**) to have regard to the content of any relevant LAP when making decisions under the Act. This allows local authorities, in consultation with their communities and stakeholders, to have greater influence over the local licensed environment.

I.4 Section 77 of the Act details what policies relating to licensing may be included in a LAP. These include:

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

No other matters may be included.

2 OBJECTIVES OF THE LAP

2.1 The objectives of this policy are to:

- Reflect the views of local communities as to the appropriate location, number, hours and conditions that should be applied to licensed premises within their communities;
- Balance the views of local communities regarding the sale, supply and consumption of alcohol, while addressing the statutory requirements of the Act to minimise the harm caused by excessive or inappropriate consumption of alcohol;
- Provide certainty and clarity for applicants and the public as to whether a proposed licence application will meet the criteria of the LAP;
- Provide effective guidance to the DLC and ARLA when making decisions.

3 DEFINITIONS

Act	The Sale and Supply of Alcohol Act 2012
Alcohol Regulatory and Licensing Authority	The Alcohol Regulatory and Licensing Authority established under section 169(1) of the Sale and Supply of Alcohol Act 2012.
Authorised Customer	In relation to premises that hold a club licence, an authorised customer is: <ul style="list-style-type: none"> a. a member of the club concerned; or b. on the premises at the invitation of, and is accompanied by, a member of the club concerned; or c. an Authorised Visitor.
Authorised Visitor	In relation to premises that hold a club licence, an authorised visitor means a member of another club with which the club concerned has an arrangement for reciprocal visiting rights for members
Bottle Store	A retail premises where at least 85 per cent of the annual sales revenue is expected to be earned from the sale of alcohol for consumption somewhere else.
Buy now, pay later	Where consumers are able to receive goods and services immediately, paid for by the 'buy now, pay later' provider. The consumer then pays back the provider in instalments over a specified period (usually one to three months) without paying interest.
Cafe	Has the same meaning as 'restaurant'.
Class I Restaurant	A restaurant that has or applies for an on-licence and <ul style="list-style-type: none"> a. has, in the opinion of the territorial authority, a significant separate bar area; and b. in the opinion of the territorial authority, operates that bar area at least one night a week in the manner of a tavern.
Club	A body that— <ul style="list-style-type: none"> 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 b. is a body corporate whose object is not (or none of whose objects is) gain; or c. holds permanent club charter.

Club Licence	A club licence premises is one where the sale, supply and consumption of alcohol is authorised on the premises from which it is sold to authorised customers and guests. Common examples include sports clubs and chartered clubs such as an RSA or Workingmen's Club. (Refer to section 21 of the Act).
Consumer	Anyone who buys products or services that are ordinarily for personal or household use.
Conveyance	An aircraft, coach, ferry, hovercraft, ship train or other vehicle used to transport people and includes part of a conveyance.
District Licensing Committee (DLC)	The Waikato District Licensing Committee appointed pursuant to section 186 of the Act.
Early Childhood Facility	Includes any crèche, childcare centre, kindergarten, kohanga reo, playcentre, Whānau Āwhina Plunket rooms and any other place (excluding a school) where five or more children receive care or education on a commercial basis.
Facility	Includes an early childcare facility, library, place of worship public park or school.
Grocery Store	A shop that— a. has the characteristics normally associated with shops of the kind commonly thought of as grocery shops; and b. comprises premises where— i. a range of food products and other household items is sold; but ii. the principal business carried on is or will be the sale of food products.
Hotel	A premises used or intended to be used in the course of business principally for providing to the public— a. lodging; and b. alcohol, meals, and refreshments for consumption on the premises.
Library	A Waikato District Council library located in Huntly, Meremere, Ngaruawahia, Raglan, Te Kauwhata or Tuakau.
Maximum Trading Hours	The maximum hours for which a licence may be granted permitting the sale, supply or consumption of alcohol.
Member	In relation to a club, means a person who— a. has expressly agreed in writing to comply with the club's rules; and b. is recognised as a member.
New Licence	A premises that has not been subject to a licence (with the exception of Special Licences) for more than 12 months prior to the filing of an application. <i>Note: a licensed premises that changes ownership but continues to hold a licence is not considered to be a new licensed premises.</i> <i>A change of licence type is considered an application for a new licence.</i>
Off-licence	Where alcohol is authorised to be sold from the premises for consumption at a location other than where it was purchased or delivered away from the premises. Common examples include bottle stores, supermarkets and grocery stores (refer to section 17 of the Act). <i>Note: Policies relating to off-licences do not apply to applications for off-licences endorsed under sections 39 or 40 of the Act relating to auctioneers and remote sellers.</i>

On-licence	Where the sale, supply and consumption of alcohol is authorised on the premises. Common examples include hotels, taverns and restaurants (refer to section 14 of the Act). <i>Note: Policies relating to on-licences also apply to BYO restaurants and caterers.</i>
One-way Door Restriction	In relation to a licence, is a requirement that during the hours stated in the restriction - a. no person is to be admitted (or re-admitted) into the Premises unless he or she is an exempt person; and 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.
Outdoor Dining Area	An area of a premises holding an on-licence or club licence that is outside of the building on any part of a public footpath, pavement or other public place.
Place of Worship	Includes any church, mosque or other facility designed primarily for worship and related religious activities
Premises	Premises includes: a. A Conveyance; and b. Includes part of a premises; and c. In relation to a licence, means the premises it was issued for.
Prohibited Persons	Persons to whom alcohol cannot be served including minors and intoxicated persons and in the case of Clubs any person who is not an Authorised Customer.
Public Park	Any park, reserve, playground, garden or similar public place maintained by the local authority for recreation purposes.
Restaurants	Premises that— a. are not a conveyance; and 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.
School	Includes any primary, intermediate or secondary school and any kurakaupapa.
Site	The physical premises that relates to the particular licence application.
Special Licence	A type of licence that allows the sale and consumption of alcohol at events or occasions on premises that are unlicensed, or at licensed premises when the sale of alcohol would otherwise be unlawful (refer to section 22 of the Act).
Supermarket	Premises are a supermarket with a floor area of at least 1000m ² including any separate departments set aside for such foodstuffs as fresh meat, fresh fruit and vegetables, and delicatessen items.
Tavern	Premises used or intended to be used in the course of business principally for providing alcohol and other refreshments to the public; but does not include an airport bar.
Waikato District Plan	The Waikato District Plan that is operative at the date the application is being assessed.

4 ON LICENCE POLICIES

4.1 Introduction

4.1.1. For the purposes of clauses 4.2.1, 4.3.1, 4.3.2, 4.4.1 and 4.4.2, a licensed premises that changes ownership but continues to hold an on-licence is not considered to be a new licensed premises.

4.1.2. For the purposes of clauses 4.2.1, 4.3.1, 4.3.2, 4.4.1 and 4.4.2, a premises that has not been subject to an on-licence for more than twelve (12) months prior to the filing of the application shall be considered as being a new premises being licensed for the first time. Premises that have been subject to an on-licence in the 12 months prior to filing the application are not considered as being new premises being licensed for the first time.

4.2 Location of on-licence premises by reference to broad areas

4.2.1 New on-licence premises being licensed for the first time shall be restricted to:

1. areas zoned under the Waikato District Plan to allow commercial activities as permitted activities; or
2. locations authorised by resource consent.

4.3 Location of on-licence premises by reference to proximity to premises of a particular kind(s)

4.3.1 When considering any new on-licence application in respect of new premises being licensed for the first time, the DLC or ARLA shall have regard to the proximity of the proposed premises to other licensed premises where this is considered relevant.

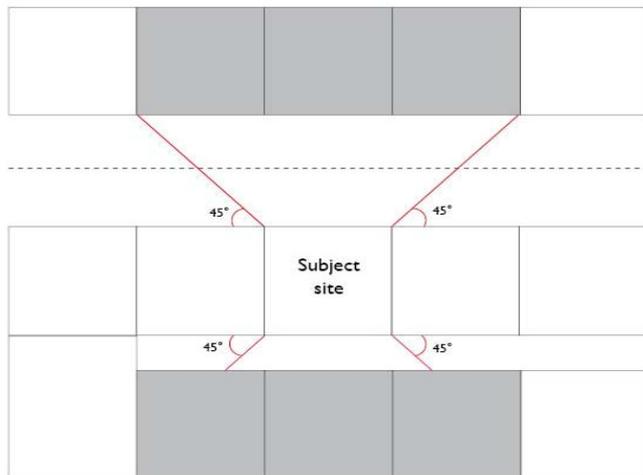
4.3.2 No on-licence for a new tavern, located in an area zoned under the Waikato District Plan that does not allow commercial activities, shall be located within five kilometres of any existing tavern or hotel that holds an on-licence, measured from the closest boundary point of the proposed tavern to the closest boundary point of the existing premises.

4.4 Location of on-licence premises by reference to proximity to facilities of a particular kind(s)

4.4.1 No new on-licence shall be issued in respect of:

- i. a tavern; or
- ii. a class I restaurant; or
- iii. a hotel with a significant bar area operating in the manner of a tavern; or
- iv. any other premises with a significant bar area operating in the manner of a tavern –

where the site directly borders any school, early childcare facility, library or place of worship existing at the time the licence application is made unless it can be demonstrated to the DLC that the hours, signage or operation of the premises will have no significant impact on those facilities and/or persons using those facilities. 'Directly borders' includes across any road from such a facility as shown in Figure 1.

Figure I: Proximity of New Premises Directly Bordering a Facility

4.4.2 In any zone other than one zoned under the Waikato District Plan to allow commercial activities as permitted activities, in respect of:

- i. a tavern; or
- ii. a class I restaurant; or
- iii. a hotel with a significant bar area operating in the manner of a tavern; or
- iv. any other premises with a significant bar area operating in the manner of a tavern

there shall be a minimum of 100 metres between the closest boundary point of the proposed premises and the closest boundary point of any school, early childcare facility, library, place of worship, public park or residential dwelling existing at the time the licence application is made unless it can be demonstrated to the DLC that the hours, signage or operation of the premises will have no significant impact on those facilities and/or persons using those facilities.

4.4.3 Renewal of a licence shall be unaffected should such a facility later establish at a site within 100 metres of the premises.

4.5 Further issuing of on-licences

4.5.1 This policy does not limit the number of on-licence premises in the Waikato district or restrict the issue of new licences, provided the other policy criteria are met.

4.6 Maximum trading hours for on-licences

4.6.1 The following maximum trading hours apply to all on-licences in the Waikato district:

Maximum trading hours	
i.	Monday to Sunday: 8.00am to 1.00am the following day.
ii.	New Year's Eve: 8.00am to 2.00am the following day.

Maximum trading hours	
iii.	In any outdoor dining area located in a public area, the trading hours shall not exceed 9.00am to 11.00pm. Outside of these hours the area shall be subject to any alcohol control bylaw that is in force in the area.
iv.	Any time to any guest residing on the premises.

4.7 One way door restrictions

4.7.1 A one-way door restriction may be applied to any licence at the time of its issue or renewal when the closing time is later than midnight if the DLC or ARLA believe this is warranted. The restriction shall apply after midnight.

4.8 Discretionary conditions of on-licences

4.8.1 In accordance with sections 110(1) and 117 of the Act, the DLC or ARLA may impose discretionary conditions (in addition to those required by section 110(2)) on any licence or renewed licence. These may include conditions related to the following, or any other reasonable condition:

- Prohibited persons;
- Management of premises;
- People or kinds of people to be served;
- Low and non-alcoholic beverages;
- Transport options;
- Exclusion of the public;
- Advertisements, signage, display and promotion of alcohol;
- Application of the principles of 'Crime Prevention Through Environmental Design'. On-licence premises, where appropriate, will give effect to the principles of Crime Prevention Through Environmental Design where they achieve outcomes (where applicable to the individual premises) including:
 - Bar area
 - Bar staff have good visibility of entire premises;
 - Bar area is open with no obstructions affecting monitoring of premises;
 - Cash registers are front facing;
 - Lighting
 - Internal lighting is suitable;
 - Lighting allows staff to monitor patrons;
 - Lighting allows staff to check IDs;
 - Internal lighting can be raised in an emergency and at closing time;
 - External lighting is suitable;
 - Internal layout
 - The premises is laid out so staff can monitor patrons at all times;
 - Mirrors or CCTV are installed where there may be blind spots;
 - Bar is easily approached by customers;
 - CCTV
 - CCTV is installed in suitable locations to monitor vulnerable areas; (areas that are not easily or continuously monitored by staff);
 - Customers are aware of the CCTV system;
 - Entrances and exits
 - Entrances and exits are visible from behind the bar area;
 - CCTV is installed to monitor blind entrances and exits;
 - Outdoor drinking areas
 - Outdoor drinking areas are monitored by bar and/or security staff;
 - Lighting allows staff to monitor patrons;

- Outdoor drinking areas are well defined from surrounding external environment;
- Pavement creep is not evident;
- Staff
 - Relevant staff understand how to operate the CCTV system;
 - There are sufficient staff to ensure control of the premises during trading hours.

4.8.2 For any licence issued or renewed in respect of a hotel or tavern, the DLC or ARLA shall impose a condition designating the premises as either supervised or restricted.

5 OFF-LICENCE POLICIES

5.1 Introduction

5.1.1 For the purposes of clauses 5.2.1, 5.3.1, 5.3.2, 5.4.1 and 5.5.1, a licensed premises that changes ownership but continues to hold an off-licence is not considered to be a new licensed premises.

5.1.2 For the purposes of clauses 5.2.1, 5.3.1, 5.3.2, 5.4.1 and 5.5.1, a premises that has not been subject to an off-licence for more than twelve (12) months prior to the filing of the application shall be considered as being a new premises being licensed for the first time. Premises that have been subject to an off-licence in the 12 months prior to filing the application are not considered as being new premises being licensed for the first time.

5.2 Location of off-licence premises by reference to broad areas

5.2.1 New off-licence premises being licensed for the first time shall be limited to:

- i. areas zoned under the Waikato District Plan that allow commercial activities as permitted activities; or
- ii. locations authorised by resource consent.

5.3 Location of off-licence premises by reference to proximity to premises of a particular kind(s)

5.3.1 When considering any new off-licence application for new premises being licensed for the first time, the DLC or ARLA shall have regard to the proximity of the proposed premises to other licensed premises where this is considered relevant.

5.3.2 No new bottle store off-licence shall be issued for any premises located within one kilometre of any existing bottle store, licensed supermarket or grocery store (the **existing premises**), measured from the closest boundary point of the proposed bottle store to the closest boundary point of the existing premises.

5.4 Location of off-licence premises by reference to proximity to facilities of a particular kind(s)

5.4.1 No new bottle store off-licences shall be issued for any premises located within 100 metres of any school, early childcare facility, library, place of worship or public park (the **facility**) existing at the time the licence application is made, measured from the closest boundary of the proposed new bottle store to the closest boundary point of the facility, unless:

- i. it can be demonstrated to the DLC that the hours, external alcohol-related signage or operation of the premises will have no significant impact on those facilities and/or persons using those facilities; and
- ii. the applicant demonstrates how the outcomes listed in clauses 5.7.1(g) and (h) will be achieved.

5.4.2 Renewal of a licence shall be unaffected should such a facility later establish at a site within 100 metres of the premises.

5.5 Further issuing of standalone bottle store off-licences in the district

5.5.1 There is a presumption against the issuing of new off-licences for standalone bottle stores in Tuakau, Te Kauwhata, Huntly, Ngaruawahia and Raglan as well as other district localities where the deprivation level is 7 or higher unless it is demonstrated to the DLC that a new standalone bottle store would not result in significant adverse effects including:

- i. the amenity and good order of the locality being reduced to more than a minor extent;
- ii. any other potential adverse effect which may give rise to alcohol-related harm.

5.5.2 For the purposes of clause 5.5.1, a bottle store associated with a hotel or tavern is not a standalone bottle store.

5.5.3 For the purposes of clause 5.5.1, an off-licence associated with a distillery, brewery or winery, and established primarily for the purpose of selling alcohol products is not a standalone bottle store.

Other off-licences

5.5.4 Except for standalone bottle store off-licences as provided in clause 5.5.1, this policy does not limit the number of other types of off-licence premises in the Waikato district or restrict the issue of new licences, provided the other policy criteria are met.

5.6 Maximum trading hours for off-licences

5.6.1 The following maximum trading hours apply to all off-licences in the Waikato district:

Maximum trading hours
Monday to Sunday 7.00am to 10.00pm

5.6.2 For remote sellers, alcohol may be sold remotely at any time on any day but alcohol must not be delivered on Christmas Day, Good Friday, before 1pm on Anzac Day or between 11:00pm and 6:00am the following day.

5.7 Discretionary conditions of off-licences

5.7.1 In accordance with sections 116(1) and 117 of the Act, the DLC may impose discretionary conditions in relation to the following matters (in addition to those required by section 116(2)) of the Act) on any new off-licence or renewed off-licence. These may include conditions related to the following, or any other reasonable condition:

- a. Prohibited persons;
- b. People or kinds of people to be served;
- c. Kinds of alcohol to be sold;
- d. Designation of the premises as a supervised area or restricted area;
- e. Display of nationally consistent safe drinking messages and material;
- f. Advertisements, signage and display of alcohol;
- g. Application of the principles of Crime Prevention Through Environmental Design (CPTED) - supermarkets, bottle stores and other off-licence premises where appropriate will give effect to the principles of CPTED where they achieve outcomes (where applicable to the individual premises) including:
 - o Lighting

- Internal lighting enables passive surveillance by staff and active surveillance by CCTV;
 - Lighting allows customers to be seen as they enter the premises;
 - Lighting allows staff to check IDs;
 - External areas such as car parks and loading bays are well lit, subject to the requirements of any resource consent or district plan rule.
- Internal layout
 - General points of sale are positioned near the main entrance
- CCTV
 - CCTV is installed in suitable locations to monitor vulnerable areas (areas that are not easily or continuously monitored by staff)
 - Customers are aware of the CCTV system
- Staff
 - Relevant staff understand how to operate the CCTV system
 - There are staff to ensure control of the premises during trading hours
- h. External promotion and advertising such that at least 50 per cent of any store front glazing shall be transparent, consistent with CPTED guidelines and no more than 30 per cent of the external area of any side of the premises may contain alcohol related signage or advertising excluding the company and/or trading name.
- i. Licensees are prohibited from accepting '**buy now pay later**' as a method of payment for the sale or supply of alcohol to any customer whether remotely or on premises. This condition does not apply to payments made by a standard bank credit card.

5.7.2 For any licence issued or renewed in respect of a bottle store, the DLC or ARLA shall impose a condition designating the premises as either supervised or restricted.

5.8 Specific policies relating to remote sales

5.8.1 The licensee must take reasonable steps to verify that the buyer and the receiver of an alcohol delivery is not under 18 years of age.

6 CLUB LICENCE POLICIES

6.1 Introduction

6.1.1 For the purposes of clauses 6.2.1, 6.2.2, 6.3.1 and 6.4.1 any premises that have not been subject to a club licence in the twelve (12) months prior to the application shall be considered as being a new premises being licensed for the first time.

6.2 Location of club licence premises by reference to broad areas

6.2.1 New club licence premises in respect of a sports or social club being licensed for the first time should be located at or in close proximity to the sports grounds or other facilities used by the club, if relevant.

6.2.2 New club licence premises in respect of a chartered club such as an RSA, Workingmen's, Cosmopolitan or similar type of club, being licensed for the first time shall be limited to:

- i. areas zoned under the Waikato District Plan to allow commercial activities as permitted activities; or
- ii. locations authorised by resource consent.

6.3 Location of club licence premises by reference to proximity to premises of a particular kind(s)

6.3.1 The DLC or ARLA shall have regard to the proximity of any proposed new club premises being licensed for the first time to any other existing premises when considering a new licence application.

6.4 Location of club licence premises by reference to proximity to facilities of a particular kind(s)

6.4.1 The DLC or ARLA shall have regard to the proximity of any proposed new club premises being licensed for the first time to any school, early childcare facility, library, place of worship, public park or residential area.

6.5 Further issuing of club licences in the district

6.5.1 This policy does not limit the number of club licence premises in the Waikato district or restrict the issue of new licences, provided the other policy criteria are met.

6.6 Maximum trading hours for club licences

6.6.1 The DLC or ARLA shall have regard to the days and hours of operation and the type of activities undertaken by the club, in setting club hours.

6.6.2 Subject to clause 6.6.3, the following maximum trading hours apply to all club licences in the Waikato district – Monday to Sunday 9.00am to 1.00am the following day.

6.6.3 Returned Services Associations affiliated with the Royal New Zealand Returned Services Association and other club-licensed premises of a similar nature that are involved with ANZAC Day commemorations/civic services shall be permitted to trade from 5.00am on ANZAC Day.

6.7 One way door restrictions

6.7.1 A one-way door restriction may be applied to any licence at the time of its issue or renewal when the closing time is later than midnight if the DLC or ARLA believe this is warranted. The restriction shall apply after midnight.

6.8 Discretionary conditions of club licences

6.8.1 In accordance with sections 110(1) and 117 of the Act, the DLC or ARLA may impose discretionary conditions (in addition to those required by section 110(2)) on any licence or renewed licence. These may include conditions related to the following, or any other reasonable condition:

- Prohibited persons;
- Management of premises;
- People or kinds of people to be served;
- Low and non-alcoholic beverages;
- Transport options;
- Exclusion of the public.

6.8.2 In accordance with section 215(3), the DLC or ARLA should impose a condition on a club licence requiring a manager to be on duty:

- i. At all times at chartered clubs; and
- ii. At any other club when:
 - there are more than 50 patrons present; or
 - at any time after 10.00 pm.

7 SPECIAL LICENCE POLICIES

7.1 Maximum trading hours for special licences

7.1.1 No maximum trading hours for special licences are specified in this policy.

7.1.2 The DLC shall determine the trading hours for special licence applications on a case-by-case basis having regard to the criteria detailed in section 142 of the Act.

7.1.3 Where an application for a special licence is in respect of premises already subject to an on, off or club licence with the maximum hours permitted for that type of licence under this policy, a special licence with greater hours will only be issued in exceptional circumstances as determined by the DLC.

7.1.4 A special licence should only be issued with greater hours than the guideline set out below in exceptional circumstances as determined by the DLC:

Guideline maximum trading hours
Monday to Sunday 7.00am to 1.00am the following day

7.2 Discretionary conditions of special licences

7.2.1 In accordance with sections 146 and 147(1) of the Act, the DLC may impose discretionary conditions regarding the following matters, in addition to those required by section 147(3):

- Sale and supply to prohibited persons;
- People or kinds of people to be served;
- The kind(s) of alcohol that may be sold or delivered;
- The provision of food for consumption on the premises;
- The provision of low and non-alcoholic beverages;
- The provision of information relating to transport options;
- Exclusion of the public;
- Restricting the types of containers used for sale or supply;
- The filing of returns;
- Conditions of a kind, subject to which a licence may be issued under section 110 (on-licence or club licence) or 116 (off-licence);
- Any reasonable condition not inconsistent with the Act.

7.3 One-way door restrictions

7.3.1 The DLC may impose a one-way door condition on any licence where it believes this is warranted.



HAVE YOUR
SAY ON THE
LOCAL ALCOHOL
POLICY

STATEMENT OF PROPOSAL

DRAFT LOCAL ALCOHOL POLICY 2022

This Statement of Proposal is made
for the purposes of Sections 83, 86 and 156
of the Local Government Act 2002.

IT INCLUDES:

- Background to the proposal
- Reasons for the proposal
- Summary of the proposed changes
 - Submission details

BACKGROUND

In 2012, the Sale and Supply of Alcohol Act 2012 (Act) enabled local councils to develop and adopt a Local Alcohol Policy (policy).

Waikato District Council adopted its policy in 2016. It sets alcohol licensing criteria for when, where and how alcohol is sold in the district. Licensing bodies must consider the policy when they make decisions about alcohol licensing applications. It also provides a guide for those applying for an alcohol licence in the district.

The policy is now due for review and we would like your feedback on the proposed changes.

REASONS FOR PROPOSAL

Council is reviewing the policy as the Act requires it to be reviewed every six years. Consultation allows the community to have a say on:

- limiting the location of licences in particular areas or near certain types of facilities such as in specific neighbourhoods or near schools or churches;
- limiting the density of licences by specifying whether new licences or types of licences should be issued in a particular area;
- imposing conditions on groups of licences such as a 'one-way door' condition that would allow patrons to leave premises but not enter or re-enter after a certain time;
- restricting or extending the maximum opening hours set in the Act.

KEY CHANGES



Council believes that, on the whole, the policy is working well, however, acknowledges that some improvements can be made. Several changes are proposed including additional restrictions on standalone bottle stores. A summary of these changes is noted below:

1. A presumption against the issuing of new off-licences for standalone bottle stores has been proposed for Tuakau, Te Kauwhata, Huntly, Ngaruawahia and Raglan as well as other district localities where the deprivation level is 7 or higher. There is sufficient evidence to show a link between the density of off-licenses, social deprivation and alcohol related harm. Early engagement feedback also indicated the community supported restrictions on bottle stores in the district.
2. An additional discretionary condition for off-licences (clause 5.6.1.i) has been added prohibiting them from being able to offer 'buy now, pay later' schemes.
3. A definition of 'site' has been included to avoid any confusion as to what constitutes a site. A narrow definition has been taken namely, the physical premises that relates to the particular licence application.
4. Additional clarity has been provided where there is a requirement for there to be a certain distance between a proposed licensed premises and the existing facility or licensed premises. The policy now stipulates that the measurement should be between the closest boundary point of the proposed licensed premises and the existing facility or licensed premises (clauses 4.2.2, 4.3.2, 5.2.2 and 5.3.1).
5. For special licences, the provision noting that the one way door policy cannot apply earlier than two hours before the conclusion of the event has been removed (clause 7.3.1). This is due to the impact it could have on events such as the showing of Rugby World Cup games in the Northern Hemisphere. Instead, one-way door provisions would be left to the District Licensing Committee's discretion.
6. Two new clauses (5.5.2 and 5.7.1) related to remote sales have been added - when alcohol can be bought online and delivered and who receives the delivery of alcohol. This change acknowledges that online alcohol sales have increased since the COVID-19 pandemic began in 2020.
7. Wording has been simplified where possible, for example, putting the definitions of each type of licence in the definition section, adding more definitions in for completeness, using abbreviations and shortening sentences.



OPTIONS

There are three options available regarding the future of the Local Alcohol Policy.

Option 1 - Council retains the current Local Alcohol Policy

Council retains the current policy.

Although the policy is, on the whole working well, the proposed changes to the policy will help prevent further harm from alcohol as well as provide more clarity for the community on what the policy states.

Option 2 - Council adopts the draft Local Alcohol Policy

Council adopts the draft policy including the recommended changes noted previously.

The proposed amendments will enable a greater consistency of rules across the district. This option also incorporates the feedback received through the early engagement period.

Option 3 - Council revokes the Local Alcohol Policy

Council revokes the policy.

Local Alcohol Policies are not mandatory. However, they allow communities to have a say on the sale and supply of alcohol in their district. Without the policy, licensing decisions would be made based on the default criteria in the Sale and Supply of Alcohol Act such as default maximum trading hours.



SUBMISSIONS

Anyone can make a submission to the review of the Local Alcohol Policy and we encourage you to let us know your views. This feedback will be used during the decision-making process.

PRIVACY ACT INFORMATION



The Local Government Act 2022 requires submissions to be made available to the public. Your details are collected:

- so the council can write and inform you of the decisions on your submission
- to arrange a hearing date and time for you to speak (if you choose to).

Your name will be publicly available. If you would like your name kept confidential, you need to inform us when you send in your submission.

You have the right to correct any errors in personal details contained in your submission. If you do not supply your name and address, the Council will formally receive your submission but will not be able to inform you of the outcome.

SUBMISSIONS

ONLINE:

www.waikatodistrict.govt.nz/



POSTED:

Waikato District Council
Private Bag 544
Ngaruawahia 3742

DELIVERED:

Waikato District Council
Attn: Corporate Planner
15 Galileo Street, Ngaruawahia
3742



EMAILED:

consult@waidc.govt.nz
Subject heading should read:
'Local Alcohol Policy'

Huntly Office
142 Main Street, Huntly 3700

Raglan Office
7 Bow Street, Raglan 3225

Tuakau Office
2 Dominion Rd, Tuakau 2121

Te Kauwhata Office

WHAT HAPPENS NEXT?

Council will acknowledge each submission received in writing, either by letter or email.

Following the closing of submissions on 11 September 2022, all submissions will be reviewed. Verbal submissions will be heard and all submissions formally considered at a meeting of the Policy & Regulatory Committee on 28 September 2022. This meeting is open to both submitters and the public to attend.

It is anticipated that the draft policy will be adopted in late 2022 and appeals will be open for anyone who submitted during the formal consultation.

IMPORTANT DATES TO REMEMBER:

SUBMISSIONS OPEN – 10 August 2022

SUBMISSIONS CLOSE – 11 September 2022

HEARING OF SUBMISSIONS/DELIBERATIONS – 28 September 2022

If you have any further queries or would like further copies of the draft policy, please contact Anthea Sayer via email at consult@waidc.govt.nz.



First Name	Organisation/business/iwi	Thinking about the number of bottle stores in your town, do you think there are:					Please specify the town you are referring to in the previous question.	Do you believe there should be restrictions on the number of bottle stores in your town?	Do you have any other comments on the current Local Alcohol Policy?
		Far too many	Too many	About right	Too few	Far too few			
John Ngatai	Ngati Naho Ngati Hine	1					Pokeno	Yes	No
Valerie O'Rourke			1				Tuakau	Yes, there is a pub and a Bottle-O store. The superette and dairies don't need to sell alcohol as well.	No new licences should be issued. Renewals should be viewed carefully, with the focus being on reducing harm caused by alcohol.
Suresh Goel	Bottle O Tuakau and Bottle O Pokeno			1			Tuakau	Yes. We support that the number of off-licensed premises in Tuakau and Pokeno be capped to the current existing numbers.	
Chris Rayner	Raglan Community Board			1			Raglan	Yes	<p>As part of the early engagement for the review of the Local Alcohol Policy Raglan Community Board would like the opportunity to discuss and review the 1am closing time for entertainment venues in Raglan, namely, clubs, bars & events using special licenses.</p> <p>The Board has not come to a unanimous agreement on the detail of this issue, or whether in fact the closing time should change, but we are in agreement that it should be considered as part of this LAP review process. We have outlined below some of the reasons why we are asking the LAP review to consider changing the 1am closing time for licensed venues in Raglan.</p> <p>It has been brought to some board members' attention that the 1am closing time has a number of negative effects and does not reflect Raglan's unique position in the Waikato as a world-renowned tourist destination. Post Covid the night time economy has been struggling to get back on its feet and the restrictive opening hours provide a very limited window to operate. The majority of people will go out to watch a band or dance to a Dj after dinner and as times have changed so evening meal times have become later, typically finishing dinner around 9pm and heading out for entertainment after 10pm. From looking at the entry data for our local venue The Yot Club it's clear that the vast majority of people enter the venue after 10pm. This leaves a very short window of 3 hours to operate, which in turn affects the calibre of artist that venue operators & promoters can afford to book and has led some promoters to skip Raglan from their touring schedule.</p> <p>Other negative effects of the 1am closing time that impact the wider community, is the effective dumping out on to the streets of a venue full of people, amped up not ready to stop partying, this has lead to the creation of an 'after party' culture where groups of people go back to someone's house in a suburban area, away from the controlled environment of the venue. The 1am closing time also creates an increased risk of confrontations between groups of people, when the whole venue is emptied out onto the street en masse at 1am. There is plenty of evidence that later closing times for controlled liquor licenced venues allows people to depart from the venue across varying times, reducing confrontations, and allowing security staff to manage any issues that may occur in a more controlled manner.</p> <p>Raglan has a long and beautiful history with music of all genres, we</p>

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								would like this upcoming review of the Local Alcohol Policy to consider the unique nature of Raglan and importance of the entertainment industry to the local economy.	
Amanda Rutherford	AUT	1				Pokeno	Yes. There are 2 here and this is already too many. We also have a seedy bar called the Pokeno Sports Bar which devalues the whole area.	Bottle stores and bars are really not a great look for a lovely growing and vibrant young community. We have new homes being built around the area every day and lots of additional children moving into the area. We should not be encouraging any type of business that changes the family environment that has been created here. Since the opening of the second bottle store and the bar, there have been several incidents of drunk people wandering about the streets and people loitering around the bar and bottle store.	
Haupai Montgomery	Te Hau Kainga me Nga Mana Whenua O Pokeno Charitable Trust			1		Pokeno	Yes, we have Countdown plus the 2 bottle stores. This is more than enough for a small town. Whilst population is growing, most work outside Pokeno and can therefore purchase their alcohol elsewhere.		
Antony				1		Ngaruawahia	Nah - what we have means there's competition and if you can't get what you want at one place you can try the other	Stop listening to all the ones that haven't left their homes in 30 years. Alcohol is a real problem in the community but I do believe that normally the only feedback used is from sources that don't get a full spectrum of opinions from all age groups. Maybe get out on foot and talk to younger people and get them involved.	
Fiona L		1				Hamilton	Yes	Less access to alcohol particularly late at night. Fewer liquor stores	
Kenna			1			Hamilton	Yes - I think it's crazy that bottle stores are almost as common as dairies. Nothing against bottle stores and having a drink. But just how accessible they are, especially in low socioeconomic areas is concerning.	NA	
Barry Weaver	resident			1		Te Kauwhata	Yes. same as current number.	Remove clauses that identify Te Kauwhata as an exception. Restrict new licences/permits to the current number of premises.	
Wilma Wilson		1				Hamilton	Yes we don't need them at every shopping centre within meters of schools.	The law needs to be tougher on drink drivers and kids drinking alcohol.	
David Whyte	Huntly Community Board			1		Huntly	The Huntly Community Board strongly believes that there should be restriction on the number of bottle stores in Huntly. The current number should be the maximum number allowed.	Huntly Community Board is very pleased that we have a policy that restricts the number of bottle stores. Thank you for helping our community reduce the harm caused by alcohol.	
Raewyn Forsyth		1				Hamilton	Definitely, there seems to be one in every area that used to be a dairy! The access is too easy for people to go to as they're in walking distance to people's homes, especially in vulnerable areas (low socioeconomic). Also there seems to be a Vapor store in the same block of shops. I'm sure I didn't see as many when I visited Wellington city recently. Surely selling vapors in the main petrol stations would be enough 😊 Then again why do we need this unhealthy 'drug' anyway? Someone is making money...our health system will pay!!		
Robyn Weal		1				Hamilton	Yes.		

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Andrea Barr		1					Hamilton	I strongly believe this. There are more bottle stores than supermarkets or grocery shops. Plus alcohol can be bought from a supermarket. We have grown a culture in NZ alcohol becomes the main feature at any event or family gathering. I live not far from 2 bottle stores in a 2 kilometre radius and see the steady trade that is done during the day every day. The sad thing for me is the number of young people who come out with bottles of spirits as well as boxes of beer. In the area I live it is common to see people staggering down the street even in the middle of the day. Alcohol is a factor in the high levels of crime and abuse - physical and sexual. I don't know if we can ever come back from the damage that alcohol has done to society. It is woven into the fabric of everything we do. Restriction on bottle stores may help but it is a deeper issue than that caused by poverty and deprivation. Until a government or caring citizens to the root of alcohol abuse nothing will change.	
Gary Raynel		1					Hamilton	Yes. Limit on the closeness to schools. limit on one shops distance to another.	No sales after 8pm and closed on Sundays
Kerrin Sawyer		1					Hamilton	Yes!	Too many vape shops as well.
Sharron Smith	Waikato/Tainui	1					Hamilton	Yes I believe we need a restriction on bottle stores.	The homeless are sometimes outside the bottle stores. More violence is bought into the homes, innocent children suffer because there's no money for food or clothing. Families in emergency homes need to be monitored. Too much Alcohol in there and drugs.
Joy Woolley		1					Hamilton		Far too lax
Karlene Te Rangi	KFST / Ngaati Mahuta me Ngāti Pūkiao	1					Dinsdale, Hamilton	Yes	The amount of bottle stores, and how early they open, is disgusting. It creates an unhealthy community where alcohol is accepted as our norm.
Dean Andrews				1			Te Kauwhata	Yes	TK is a small (but growing) community. We do not need extra outlets to encourage any new offensive behaviour that will obviously occur with any additional outlet supplies. Happy with what we now have. NO MORE PLEASE
Abigail Ea			1				Pokeno	Yes. Two maximum is more than enough.	Consideration to how close liquor stores are to public areas should also be considered.
Janet Baillie	Pokeno resident	1					Pokeno	Yes the more bottle stores you have in a town encourages more people to drink	Every town in the Waikato district council should have the same rules on how many bottle stores allowed in the town. The less bottle stirred the better off the town will be.
Natasha Stoupe-Barnett			1				Tuakau	considering we can buy wine and beer at many dairies. I def believe we need less	Increase the drinking age to 20

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				1					
Winsome Ansty				1			Paeroa	Yes, we have enough here	
Charlotte Hannah		1					Tuakau	Absolutely.	Change of opening hours. Need to be restricted.
Daryl Ives					1		Pukekohe	If they are all in business and making money, then the supply is meeting the demand. What we don't need is more unemployed people and a lower GDP. I don't drink but I do believe in freedom of choice.	The abuse is a cultural one not a substance issue. People need to behave not be restricted to booze. Price hikes and limited outlets will not work. They are just "do good" warm and fuzzy feeling pointless solutions to a real world problem. Freedom is necessary. What has really gone a miss? Forty years ago would this have been considered? The problem is the tough process of the user and the justice system. The behaviour is the key to proper control. Even though the cost of living has gone up, still the people at my work drink just as much. What happens in low income houses is that they go without or commit crimes to get fed. The amount of bottle stores are not relevant. The result of high cost and closing of access to alcohol is crime. The desired result of stopping drinking in excess is education and mental health access. In both cases the system has failed to provide the need.
Christine Harvey			1				Pokeno	yes	
Melinda Underwood				1				Yes none	Should be none
Brett Flowerday				1			Te Kauwhata	Yes.	
Penny Hibberd		1					Raglan	Yes definitely we seem to have a rising issue with family violence and petty crime. Not always alcohol fuelled I know but easy access doesn't help	I am happy with the alcohol restrictions around town. I would like to see the prevention of cheaper alcohol sold at Raglan Club stopped for the same reason as given above re liquor stores
John Charteris				1			Taupiri	There are no bottle stores in Taupiri and I think there should not be any in the future.	I presume the current policy includes the Taupiri Tavern. In my opinion the tavern is very well run and appreciated by the community.
Dom Toon		1					Pokeno	YES!	Pokeno already has two and a half bottle stores (Countdown does not sell spirits). We definitely need no more and perhaps one fewer would be better.
David Peacocke					1		Raglan	No restrictions There could be better liquor stores or ones that specialised in quality nz products Eg nz wine or beer	Present rules restrict choice and quality of product and service A new store could sell specialty products such as wine are not allowed under the present restrictions. New locations are ruled out , for example on Rangitahi if we wanted a specialty wine store.
Kendra Corey				1			Ngaruawahia	No	
Elna Fourie				1			Te Kauwhata	yes - we have the tav and supermarket; don't need more	no
Joccoaa				1			Te Kauwhata	Yes,	
Stuart McNab				1			Te Kauwhata	Yes, there are two outlets in our town already. We would be more socially responsible if we tempered the amount of alcohol consumption in our community.	

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Dirk Korver				1		Te Kauwhata	Of course	
Marianne Korver	NZPD			1		Te Kauwhata	Definitely	
Lynne Glover				1		Te Kauwhata	Yes	
Jess Fowlie				1		Te Kauwhata	Yes we have one and that's enough	Please don't allow anymore in our town!
Lynnhe Herbert				1		Te Kauwhata	We have enough places to buy alcohol in Te Kauwhata	
Kitty Joyce	Tainui				1	Te Kauwhata	No	No
Nicola Patterson		1				Te Kauwhata	There should be restrictions. We are crazy to encourage more outlets. There is plenty of places in Te Kauwhata that sell alcohol.	Please do not allow more. We need to protect the Tavern as a Licencing Trust which grants profits to the community.
Nicky Patterson	Te Kauwhata Community House	1				Te Kauwhata	Yes, It is a small town and we have a Tavern in town. It is a Licencing Trust and profits are given out as grants to the community.	There is absolutely no need to have more alcohol selling places in Te Kauwhata. There is the Tavern and the New World who have alcohol. There is also the Rangiriri Pub a couple of kms down the road.
Rachel Holder					1	Te Kauwhata	No	No
Joanne Nichols				1		Te Kauwhata	Yes	
Sue Simpson				1		Te Kauwhata	Yes. The New World sells beer and wine. The Tavern sells beer, wine and spirits. It is a Trust Tavern that gives back to the community. Other outlets coming into the village would take away any profits from the Tavern that go back to the community.	
Justun Trousdale	Onroad Heavy Automotive Ltd				1	Te Kauwhata	Yes	
Mary Davis				1		Te Kauwhata	Yes	
Alanah Knaggs				1		Te Kauwhata	Yes there should be restrictions. Our town has an adequate amount to service our community	
Linda Esplin			1			Cambridge and Hamilton	most definitely, alcohol is a huge issue in New Zealand, I believe Supermarkets shouldn't be selling it either.	
Amy Karena				1		Te Kauwhata		I'm New to town and haven't been living here long. I don't believe that the small town needs an alcohol store. we can purchase from the supermarket and also the Tavern that is ample considering our size.
Mario Vodanovich				1		Te Kauwhata	Yes,	There should be a restriction on where alcohol stores are located.
Annamarie Howe	Pet Grooming			1		Pokeno	Definitely. Pokeno is a small town with limited facilities. Expanding the shopping area with businesses that attract families and community growth should be encouraged. 2 bottle stores plus a supermarket selling liquor is plenty	

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Mere Hata-Huata	Te Whakatōhea			1			Ngaruawahia	Nah	nah
Jennifer Knight				1			Te Kauwhata	Yes. To put more liquor stores with the Current population would almost outnumber the number of cafes in the town (3) . With so many young people around the Main Street it's not going to send the right message to increase the availability of alcohol.	
Colette Hosking	SG Stud	1					Hamilton and Cambridge	Yes! It's the worst drug on the market	NZ drinking culture is terrible and something needs to be done about it
Oralee	Ngati kahungunu ki Awaroa					1	Te Kauwhata	Yes but with only one in te Kauwhata that I feel is fully over priced compared to if I drove to Huntly it'll still be cheaper then buying from the tavern even with paying petrol so having 1 bottle store would be okay and it'll hopefully drive down the prices at the tavern	
Roxanne Wrigley				1			Waikato	Yes, it's a small town, and the land could be used in a far more resourceful way. We already have a tavern and a supermarket, we really don't need any more alcohol stores.	
Jared Parkes				1			Te Kauwhata	Yes	No
Shari Awatere		1					Hamilton	Yes! If we are trying to improve outcomes for children, youth & families, especially those who live in low socio-economic areas & whom already suffer from poverty & whom statistics show are likely to have poor outcomes in life, then why are we placing liquor stores at their front door steps? Society wants crime rates to drop yet liquor stores & drug dealers continue to fuel the fire everyday. There are 3 liquor stores just in Melville alone!	2-3 liquor stores in one town or suburb is 2 too many!
Jo Gurnell				1			Te Kauwhata	Yes	
Lauren Hughes				1			Te Kauwhata	Yes. We have a licensing trust operating a tavern and wholesaler as well as a supermarket on the same street. People have no trouble accessing alcohol. Additional retailers would damage the viability of the tavern which is an employer, funder and community hub.	Protect our licensing trust. I'd also be disappointed if a dedicated alcohol retailer opened on our small main street. Children walk down it every day to school and we don't need that level of profile for alcohol in their lives. Bearing in mind our primary school is being relocated to Lakeside but our College will remain on Waerenga Rd I'd be disappointed to see an alcohol retailer appear in either location.
Mike Peters	MJ & LJ Peters Ltd			1			R D 2 Te Kauwhata	Yes. We don't need anymore	
Dianne Johnson				1			Te Kauwhata	Yes	No

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				1					
Lashana Perkinson	Ngati paoa			1			Te Kauwhata	Yes I believe that te Kauwhata will lose its country beauty if an alcohol store is added to Main Road. I moved here from Manurewa which is so over run with alcohol stores that every complex of shops had its own alcohol store you always knew that if you found a dairy the alcohol store was right next door. I also feel that adding alcohol stores to a small town like te Kauwhata will attract crime not just to the stores but to our homes as well.	Yes I believe that the same rules should apply here in te Kauwhata as they do in Ngaruawahia, Huntly and all other towns that don't allow them to be close to schools and churches.
Dan Randall					1		Te Kauwhata	No not at all	N/A
Karen Roach	Nga Te Rangi			1			Te Kauwhata	I live in Rangiriri but we use The Kauwhata as our town for shopping, school etc. We actually don't have bottle stores as such, we do have a new world, and a tavern and in Rangiriri (4 or so kilometres down the road) is a pub so I think Te Kauwhata has enough	
Viv					1		Te Kauwhata	Yes, but only having one allows them to overcharge which they do.	No
Stacey Haitana					1		Te Kauwhata	Yes I do. However, I believe we need a bottle store as we only have a supermarket we can buy from. We have to travel to Huntly to be able to buy rtds and other alcohol that isn't beer or wine	No
Hazel Clinton		1					Hamilton	Yes. Move them out of low income areas. They should not be as easy to access as the local dairy!	
KENNETH Smith			1				Huntly	Yes and too many other Liquor outlets	Too many other Liquor outlets
Steven Croft					1		Te Kauwhata	No	No
Bernadette Vaili				1			Te Kauwhata	Yes	No more liquor stores. The harm done is more than the need for another business to set up selling alcohol.
Patricia Derbyshire				1			Te Kauwhata	Yes	
Judy Garrick				1			Te Kauwhata Rangiriri	Yes. New World and TK Tavern are right in TK.	
Jo Mako				1			Te Kauwhata	Yes	No
Leigh Fitzgerald					1		Te Kauwhata	Yes. Minimum distances between stores. Minimum distances from schools. Limited operating hours. Eg close at 9pm. Set at 2 for now.	
Tonia Maassen	Machine operator				1		Te Kauwhata	Maybe	No

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			1						
Alex Carson-Holloway			1				Te Kauwhata	Yes	
Cindie Ritchie						1	Te Kauwhata	No, I believe competition is healthy. We currently have the pub and new world who do wholesale but they have only very few variety. A proper designated whole liquor store would be appropriate to have at least one in each town allowed.	No
Wendy Peach				1			Te Kauwhata	Yes You can buy Alcohol from our new New World and the Te Kauwhata Trust Tavern along with the Rangiriri Tavern five minutes down the road. I believe this is more than adequate access to Alcohol and if you wish to purchase then the existing businesses which have served the community well should receive the support in the first instance. After watching Patrick Gowers doco on booze current pricing and access is plenty.	Ref above
Ivy Broek				1			Te Kauwhata	YES	
Brendon Pulman	RE/MAX APEX					1	Te Kauwhata	There should be another one available to give more choice and bring prices down The tavern has a monopoly, and it is expensive	No
Andrew						1	Te Kauwhata	No.	The WDC has shown it is willing to engage in discrimination and segregation by its vaccine pass policies. Therefore, as is usual with local government, any policy changes will tend to have the opposite effect than the supposed intention.
Derek Peel				1			Te Kauwhata	I believe that there should be a cap at 3 premises that exist to sell alcohol for consumption off the premises. Currently we have 2, being the Pub and the Supermarket. One more dedicated premises would see some competition in the spirits and RTD area (no competition at the moment as only pub sells them). Reason for the cap at 3, competition without encouraging harm, in an area that has a rapidly growing population.	Premises that sell alcohol as part of a meal ie cafe/restaurant, should be encouraged.
Heni Sharp				1			Te Kauwhata	Let the town choose.	
Sharon Williams				1			Te Kauwhata	Yes	
Pat Takiari	Tainui					1	Ngaruawahia	No more allowed as Ngaruawahia already has 2 stores plus supermarkets.	
Ashley		1					Hamilton as a whole	Yes	
Tiffany Oldham		1					Hamilton	Yes	No

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		1	2	3	4	5			
Beth Pickering	Glen Afton/Pukemiro community society	1					Ngaruawahia	Yes	Why have bottle stores when supermarkets sell the product?
Melinda Wright				1			Te Kauwhata	No. As they aren't going to operate/start up if they're not going to be profitable.	No
Holger Bloedorn			1				Ngaruawahia	Yes	No
Kary Johansson	Ratepayer		1				Raglan	Yes	Too easy to buy alcohol here.
Arrielle Fortune	Ngapuhi	1					Hamilton	Absolutely. I believe for the safety of the community it would be best if the sale of alcohol was limited to supermarkets and one bottle store per suburb.	There should be limits on the amount of alcohol one person can purchase per day. Alcohol should be sold in smaller quantities (i.e.: not in large 24 boxes or crates) to encourage responsible drinking, rather than drinking to excess.
Sarah Weaver		1					Hamilton	Yes, definitely. There are far too many in our neighbourhoods	Take alcohol out of the supermarkets too
Wendy Hamerton	Naike Community Centre/hall		1				Huntly	yes	
Andrea Lane			1				Hamilton	Yes. In some parts of Hamilton there are bottle shops on every corner.	
Ric Odom			1				Pokeno	Yes. There are already three off-licence outlets in Pokeno - all on the main street: Countdown supermarket and two bottle stores	The policy needs to be updated to ensure it contains restrictions on the number and location of of-licence premises in Pokeno
Ginny Bullock			1				Pokeno	We have licensed premises at CBD, Bottle O, and the one behind the Pink Café. Definitely no more outlets	No more licensed premises in the Pokeno district. We have quite enough
DENNIS WELLS		1					Hamilton	yes	to easy
Sean		1					Huntly	Absolutely. 3 bottle stores in such a small town plus the supermarket is excessive. So much harm comes from alcoholism and these stores make it more accessible.	There needs to be more focus on reducing harm and there should be mandatory requirements for a percentage of all alcohol sales to go into a quality rehab centre that has family and rehabilitation at its heart. A not for profit organisation. But paid mental health staff. Please please look into reducing harm in our community addiction makes our families struggle, and a lot of it now is generational. We don't need more than one bottle store or supermarket both is too much. Do not relax the rules for Tuakau Pokeno etc. Keep these places away from schools etc. If they haven't needed a bottle store prior to now then they don't need one now. I'd prefer to see alcohol removed from Huntly all together. Also consider adding amount of robberies and thefts into the process for reapplication of licence. If there is a lot of ramraids and theft then clearly there is community harm and a working group needs formed to seriously assess the likelihood of further risk to both the public and the staff. As well as the harm that has been contributed to by that store. Ban selling of individual cans. What I really want for my town is support for those who want to end dependency. I absolutely do not want more bottle stores.
Yvonne Campbell				1			Ngaruawahia	Yes	Ngaruawahia certainly does not need any more liquor stores - there are two already, and two supermarkets in a relatively small area.

First Name	Organisation/business/iwi	Thinking about the number of bottle stores in your town, do you think there are:					Please specify the town you are referring to in the previous question.	Do you believe there should be restrictions on the number of bottle stores in your town?	Do you have any other comments on the current Local Alcohol Policy?
Debbie Dalbeth				1			Raglan	No.	At the last census the population in Te Kauwhata was half that of Raglan yet the rules for bottles stores are more permissive. Raglan is increasing with a huge number of sections in the Rangitahi peninsula. I believe retail shops are ear marked for there so restricting the number of bottle stores for Raglan seems unwarranted.
Wendy Harlock			1				Huntly	yes	Also too many dairy's selling alcohol as well. We have drunks in the main Street. Also places that serve alcohol need to be better policed for noise, bad language and drinking outside the place. Very intimidating for old people Ann Young children
Nick Greene			1				Huntly	Yes	Ban alcohol legalise cannabis much safer.
Maria Evaroa		1					Te Aroha	Yes	No
Tyler Barry				1			Raglan	No further restrictions. 2 is a perfect amount, so there is not a monopoly. they are both at other ends of town and are discrete	
Evelyn van Ommen				1			Matangi	yes the local 4 Sq has an alcohol licence. There is a pub called Bootleg Brewery. That is ample for Matangi. Residents have a short drive to Tamahere where they can purchase alcohol as well as Hillcrest and Silverdale and Cambridge. Matangi does not need any more.	
Jenny Kelly				1			Te Kauwhata	Definitely the number of "Bottle Stores" needs to be restricted. The New World Supermarket and Te Kauwhata Tavern serve as two. The Tavern also has a licensed restaurant. Another licensed restaurant or two might be permitted in the wider village, encompassing Lakeside. However, the Rangiriri Hotel is only a few kilometres away, and there are at least three licensed sports clubs, so alcohol is sufficiently provided for the area.	The proximity of sales points should, as previously, not be close to schools or churches for health, wellbeing and safety reasons.
Matthew Hurley						1	All Waikato towns	No.	Alcohol and cigarettes should be banned from supermarkets and only sold at a licensed store. Increase tax on the alcohol at Liquor stores and reduce the tax on alcohol at establishments. This would reduce harmful binge drinking at home and create a better pub culture which have appropriate staff and supervision of their patrons.
Te Mihinga Komene	Waikato-Maniapoto	1					Hamilton	Absolutely, it's disgusting how many bottle stores there are, especially the amount there are in the much more vulnerable and impoverished communities. Why has this been allowed to happen? Alcohol is the worst drug in our communities.	I think the policy needs to be stricter by limiting the days and hours bottle stores are allowed to operate. We should be like Invercargill and not have alcohol sales in any of the supermarkets, superettes or Four Squares. The more we discourage the sales and advertising of alcohol, the better.
Shane Groom		1					Tuakau	Yes only one store	All supermarkets to not sell

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Trevor Otton				1		Raglan	Yes, two is plenty for our small town.	While two is plenty you also been to consider that alcohol is also available at the two supermarkets in Raglan. Nothing extra is required.
Peter Gatenby				1		Ngaruawahia	Yes. But there should be a minimum of 2 for competitive reasons.	I think it is good as it currently is for Ngaruawahia.
Cecilia Heta	Pokeno Community Committee / Waikato Tainui	1				Pokeno	Yes, I do believe there should only be 1 whole sale store in a Community, but how ever Pokeno has 2 whole sales that are competing against each other now a Whisky place want to request for a licensed in Pokeno which I think absolute wrong.	Yes why does there have to be so many different wholesale Business in 1 township we have the Pokeno Wholesale, now a year later we have Pokeno Bottle o I think where the Pokeno Bottlo is located I am not happy as a member of the board an local resident too see a bottleo right outside our Pokeno Hall when family hires the hall it makes it so easy just to cross the road an buy Alcohol an it also encourages young people as well to buy.
Oki Tuakura	Tainui			1		Huntly	No we have enough in town	Nope may be extend the hours of opening
Vannessa Charlton				1		Huntly	I don't think we need any more	
Alex Mylchreest				1		Ngaruawahia	No, there shouldn't be a restriction on bottle stores or any type of shop. Why stop people trying to earn a living	Lift the liquor ban on parks etc. Who cares if people want to drink in public
Ruth Pickles			1			Huntly	Definitely yes.	I don't think that bottle stores in Huntly should be allowed to have large gaudy advertisements or signs outside their premises. I would also like to see their hours reduced, as I often see people entering them early in the day and buying large cases of alcohol.
Kavaleen Rupapere	Tainui	1				Huntly	Definitely yes. Too much stores leads to too much money spent on alcohol, which leads to more disturbances in & out of the streets and homes.	Take alcohol out of grocery stores.
Jamie Toko	Sincere Funeral Services			1		Ngaruawahia	Yes, these stores are strictly to make money. They're don't positively contribute to the business community or communities. They're commonly used for pre drinking before an event and after hours drinking. They're located within walking distance of each other and strategically placed in low socioeconomic communities. Where there is low to no income families. Just like the clothes and furniture trucks. We don't need them?	That more information and submissions are encouraged so that people can make informed decisions when considering approval or not. That everything is considered especially schools, ECE facilities, elderly communities.
Graham Bagley		1				Huntly	Yes	Far to any outlets
Carl Ammon				1		Raglan	As a tourist town its demand is higher than normal on weekends and holidays so some oversupply is needed for peak demand. In reality we have two supermarkets that sell more liquor than the bottle shops do so its a dubious distinction.	In reality we have two supermarkets that sell more liquor than the bottle shops do so its a dubious distinction being employed here. Out of town delivery is possible as well so focusing on two retailers is not germinal to issues with alcohol.
Donald Carmichael	Nga puhi		1			Huntly	Yes there should be restrictions on the amount of stores in our town.	No
Surina Combrink			1			Pokeno	Yes	

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Elaine Miller				1		Huntly	I don't think the number of bottle stores in town make any difference to the amount people buy.	It doesn't need changing.
Denise Lamb			1			Huntly	Yes definitely	
Zoe Carter			1			Raglan	Yes, 1 or 2 at the most. We don't want to encourage too much alcohol being purchased and causing unruly behaviour in the town.	Raglan is growing and changing which is good and bad. There are lots of burglaries now and many cars being stolen even during the day. Alcohol affects people's behaviour and sometimes not in a good way. Recently I was in town on a Tues afternoon after school with my 9 yr old son and his friend. We were verbally abused whilst sitting by a tree enjoying an ice-cream. A group of people decided to abuse the boys with fowl language and were very intimidating even to myself. We were very upset and that was the first time in 17yrs that I've felt unsafe in our town.
Megan Ryder	Long time resident			1		Huntly	Definitely there should be a limit, and no more for sure but let those businesses live on as they employ people Huntly has more pressuring issues to deal with like. educating the young and old not to drink and promoting healthy lifestyles therefore reducing crime rate	
Davina Vaughn		1				Huntly	Yes I do. We have too many in our town along with other outlets such as Countdown, RSA, sports clubs, pubs. Though they are not bottle stores they still sell alcohol.	It should be stricter, and the community have an opportunity to vote for the final decision.
Dee Bond	Tuakau Hotel			1		Tuakau	No	The current LAP appears to be working very well for our community, however the current rules may limit the ability to move the location of one of the stores following a fire last year. We would support the liquor store being located opposite the hotel and adjacent to the Museum and Council owned vacant land. We believe that the community impact of this move will be nil, as the store currently faces those two properties.
Nga Rimamaki				1		Huntly	Yes, it's so should be per population	
Lee Fletcher					1	Te Kauwhata	No, neither here or anywhere else. You don't limit the number of bakeries, I have never seen a problem with abuse outside or around a bottle shop,	
Jeremy Duncan		1				Ngaruawahia	Yes absolutely. Anyone understands more access to alcohol leads to more problems.	
Kylie Baker				1		Tuakau	Yes. The current number of outlets selling alcohol in our town is adequate for the population.	I cannot see why you would ever allow alcohol to be sold within vicinity of schools. It seems silly to also be more liberal in some townships and more restrictive in others. There should be one consistent rule.
Shelley Turner			1			Huntly	Yes	I think the bottle stores shouldn't be allowed to stay open as late as they do.
Donna Henton			1			Huntly	Yes, bad for the community	No
Magda De Lange	Private			1		Huntly	Yep definitely there need to be restrictions.	Nil

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Dianne Pitts				1		Pokeno	Yes there are two bottle shops, a sports bar , a cafe and supermarket that all sell alcohol.	No just voicing our extended family opinion.
Malika Kanawa			1			Huntly	Yes. I think Huntly has enough liquor suppliers as is. There is no need for more.	
Sacha Wood				1		Te Kauwhata	Yes, we do not need any further stores selling alcohol- would hate to see TK turn into Huntly with a bottle store every 500m	There should be a ban on drinking alcohol in the town area (Main Street), community areas etc especially where families and children use and gather at
Marina Masame				1		Huntly	I think Huntly be restricted to three stores.	For a small town, there is no need for more alcohol stores.
Leonie Andrews				1		Te Kauwhata	Yes	There is now sufficient alcohol premises in our small community, with the recent well stocked supermarket.
Jenny Cameron	Waahi Paa Marae			1		Huntly	Yes. We currently have 2 x bottle stores and 1 x Countdown (where you can buy alcohol from). I think 2 x bottle stores is enough and should be capped at 2.	
Merelina Burnett				1		Cambridge/Leamington/Matangi	Yes. Despite being areas of significant population growth, these town areas are already well served with a sufficient number of outlets.	
Kate Thomas				1		Huntly	Yes absolutely, at the moment there are just enough stores plus the supermarkets selling alcohol. We use these places but also see the negative effect it can have on our community, restricting the number would be the best idea.	
Tania Wooding			1			Huntly	Yes I do, demographics of the Huntly area gives leave for excessive consumption	
Heather Lynch				1		Huntly	Yest	
Michael Dickason				1		Pokeno	To an extent, there should be some competition if you only have one then they can set prices very high but with 2 or 3 it allows for good prices and gives people a choice.	
Kris de Jong			1			Huntly	Hell yes. If you add on Countdown then a town of maybe 10k people has at least 4 places to get alcohol from, that's more than suburbs in Auckland that have 5 times the population. This town has enough issues.	
Kelly Jones	Resident			1		Huntly	Yes	Alcohol provision takes not gives back to the community.
Gordon Dabell				1		Huntly	Yes .	

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Sarina Ponga			1			Huntly	Yes	The socio-economic of our town is disproportionate to the amount of access to alcohol. Not counting the 3 bottle stores but there are 3 to 4 other supermarkets where alcohol is also available. For a town with approx 8,500 people 6 stores is enough. Alcohol is only 1 issue. The ridiculous amount of bakeries/takeaways is another. If stopping the ability to supply alcohol is a priority for health the same methodology should apply for unhealthy supply of food - especially when you look at the disease distribution over this population. It is about time the local council looked into a detailed analysis of the issues for our town and prioritise these - working collaboratively with health/education/justice sector. Health reforms are here - Where is the localities approach to addressing these issues. Nga Mihi....
Amelia Movete	Tainui		1			Huntly	Yes. Especially in small towns. No more than two. Two is enough. The supermarket, four square in my town both sell beer/wine as well.	
Ocsa Savage			1			Huntly	Yes I do, more access to alcohol mean more availability for the community. Alcohol also sells in the supermarket and about 2 of the dairies here. So in total that's 6 shops selling.	Stricter opening times would help
Stacey Bate				1		Huntly	Yes, we definitely don't need any more. What we have now is about right.	
Aaron Lowe				1		Huntly	Yes, I think we have the ideal number now. Enough for competition but not enough to cause major alcoholism.	Perhaps WDC should keep a register of high consumption customers for health reasons. Also could cross reference with drink driving in the district. Should be a short term check, maybe three months, and all identifying data destroyed at the end of the survey for privacy purposes. Stores would know who their regulars are.
Dorz Marshall				1		Huntly	Yes there should be restrictions on liquor stores. Alcohol is readily available in supermarkets and Four Square stores so there is no need to saturate our towns with more alcohol outlets.	
Carol Te Ohaere		1				Huntly	Yes	
Devon					1	Te Kauwhata	No	One decent bottle store in TK would be nice
Victoria Britton		1				Huntly	Yes. You can purchase from bottle store, supermarket and multiple dairies. As the grown child of an alcoholic and a partner of an alcoholic. Please don't allow anymore bottle stores. Alcohol has killed more people than the world wars combined. It is the root of all evil.	
Steven O'Connor	Tainui		1			Pokeno	Most definitely	

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Jeanette Phipps		1					Huntly	Yes I do. For the size of Huntly the amount of stores already here is too much. No more wanted.	Not at present
Kara Reed				1			Te Kauwhata	Yes	Pokeno is also my local. Two alcohol shops is enough. It's one too many actually
Chris				1			Te Kauwhata	Yes, there are plenty, by the time you have the New World, Tavern, Rugby Club, and Golf Club there are plenty of places to purchase alcohol. We do not need another shop in town or the surrounding areas supplying our youth etc with cheap booze. We also do not want to add another building that would be a target to ram raids.	I think we need to look at the wider issues alcohol has on our district, and I feel that the council has some responsibility in keeping the people in its regions safe.
Hazel Godley				1			Te Kauwhata	Yes	Less is better NZ has a drink problem family violence quite often is led by drunken members.
Laura Tabrum				1			Ngaruawahia	Yes, two is plenty for Ngaruawahia. Alcohol should be more regulated.	
George Dale					1		Te Kauwhata	No	Thieving tavern bastards are always ripping us off in this town. Too many of the cotton wool brigade want to control this little town.
Kim King		1					Huntly	Yes! Bad enough supermarkets and 4 squares are selling alcohol in our area let alone 3 actual liquor stores 🙄	Yes get rid of the alcohol stores and go with the supermarket sales 🙄
Susie Rangi	Tainui		1				Huntly	No	No
Vicky Bagley			1				Huntly	Yes	
Ellaina Martin	Tainui	1					Huntly	Definitely	Alcohol contributes to physical, sexual, mental, whanau and spiritual abuse. It creates pain and suffering to our children and women, parents and grandparents It contributes to death on our roads It has a negative impact of the community
Safia Pitel						1	Raglan	There isn't enough choice in the bottle stores. More stores would make a difference, bottle stores, distilleries, breweries and wineries... there should be additional bottle stores not restrictions	
Tim Manukau	Self			1			Ngaruawahia	Yes	
Logan Wells						1	Taupiri	No	No
Kevin Whittock	Kevin Whittock		1				Huntly	Yes	Opening hours for bottle stores should be changed. They should not be permitted to open before 09:00 and must close by 18:00 on weekdays and 14:00 on Saturdays. Sundays they should remain closed.
Jared Pickles			1				Huntly	There definitely should be no new shops open, maybe closing earlier will reduce late night reckless drinking.	

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Brooke			1				Huntly	I think it won't matter how many alcohol stores there are in Huntly if people within the community drink or wish to drink for whatever reason they will always ensure they have alcohol.	
Jess		1					Huntly, Waikato	Yes! Because we have multiple bottle stores and then the supermarket and also a number of smaller supermarkets, like 4 square and others who also sell alcohol.	
Claire Stevens				1			Raglan	Yep	
Rachel				1			Te Kauwhata	Yes - small town with two ways to buy alcohol already....we experience antisocial behaviour already (boy racing, aggressive teens doing damage to shops and homes) we don't need more ways to buy alcohol.	Stop giving bottle shops the ability to pop up in every block of shops. Everything about them is yuck - the signage, the booze advertising, who they attract outside their shops to hang out and intimidate others.
Ross Barrow				1			Huntly	Yes as I feel we don't need any more bottle stores	
Stacey Haitana						1	Te Kauwhata	No I don't. But currently we don't have any bottle stores in our town.	
Torrie Martinez	-			1			Huntly	I feel 3 would be appropriate however, 2 is just enough.	
Cheryl Maskell				1			Huntly	No	No
Tracy Jones		1					Huntly	Yes	
Jasoj Berryman	Covid centre Raahui Pookeka	1					Raahuo Pookeka	Yes	
Debra Brooks		1					Huntly	Yes	No
Scott Bovaird				1			Te Kauwhata	Yes. Until there is far more retail space. No new liquor stores including the new commercial properties in the lakeside area. New world and the trust service the community well.	Strong policies across the district should be applied. We do not need a proliferation of stores like in Auckland.
Phillip Amis				1			Huntly	Yes, three is enough. Especially seeing as there are also three food outlets in town that also sell alcohol.	Alcohol free zones are not policed or enforced adequately
Bruce Horrox			1				Huntly	Yes	We live in a low economic society with a lot of unemployment. I have years on school boards and see children that suffer due to not having their needs met at home. Their parents income is being spent on drugs and alcohol and the children miss out. We may only have 3 designated liquor outlets in town but alcohol is also readily available in super markets and food stuff stores
Paulina Sadowska				1			Raglan	I believe 2 bottle stores are enough in town itself for the time being. Raglan is growing rapidly so in another 5 years it might be different.	The current LAP is fine.

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Alex Dixon			1				Cambridge	Yes	I don't think they should be near areas such as schools.
Kirsty BARBER	Taurikura		1				RD 9 Hamilton	Yes	I think restaurants and cafes should be licensed but stand alone bottle stores are a serious risk in communities, especially socially and economically disadvantaged communities. Ditto pokies!
Sarah Weaver		1					Hamilton	Yes definitely	Remove tobacco and bottle shops
David Kimber				1			Ngaruawahia	yes	
Crystal Cherrington	Ngati Naho Trust	1					Pokeno	There should be a limit for smaller areas as it's more likely to be targeted for robberies. And also the amount of bottles and cans that are left behind. One is more than enough.	That there should be more rules put in place where community committee groups that develop spaces like Pokeno can also enforce or put liquor bans in public reserves to keep the community and children safe. Especially during summer at swimming locations.
Bronwyn Heath	Steppingstones2nz			1			Pokeno	Yes, in Pokeno there are 3 places to buy alcohol and that plenty.	Don't make it easy to open Bottle stores
Raghu Hegde			1				Tuakau	Yes	
Elizabeth Dillon		1	0				Hamilton	yes	no
Elysia Wanakore	Negative Apakura	0	0	1	16	7	Ngaruawahia	Yes	Don't allow any more to open. Even 1 would be enough, so if one were to close. Change max limit to 1.

Submission

Waikato District Council Local Alcohol Policy Review

To: Waikato District Council
Private Bag 544
Ngaruawahia 3742
New Zealand
info@waidc.govt.nz

Details of submitter: Waikato District Health Board

Address for Service: Public Health Unit
Waikato District Health Board
Private Bag 3200
Hamilton 3240

Contact Person: Dr Richard Hoskins
Richard.hoskins@waikatodhb.health.nz

Hearing: Waikato DHB wishes to verbally support its submission

Date: 30 June 2022

Introduction

1. Waikato District Health Board (Waikato DHB) presents this submission through its Public Health Unit. Regarding matters concerning public health, the Public Health Unit is the principal source of advice within Waikato DHB. Under the New Zealand Public Health and Disability Act 2000, Waikato DHB has responsibility to improve, promote and protect the health of people and communities. Additionally, there is a responsibility to promote the reduction of adverse social and environmental effects on the health of people and communities. With over 8,000 staff, Waikato DHB delivers health services to a population of more than 400,000 people across the Waikato region, and tertiary-level services to the midland region with a population of over 840,000.
2. Public Health, Waikato DHB welcomes the opportunity to provide comment on council's Local Alcohol Policy 2017 review.

Submission and Recommendations

- Waikato DHB **supports** council's current cap on the number of standalone bottle stores in three towns; Ngaruawahia (2); Huntly (3), and Raglan (1). Our organisation **recommends** council go a step further and introduce a cap of one off-licence premises for Taupiri.
- Waikato DHB **strongly opposes** more permissive rules being applied for new bottle stores in Pokeno, Te Kauwhata, and Tuakau or any future growth area. Our organisation would **support** Waikato District Council amending s5.3 of Council's Local Alcohol Policy 2017 to ensure that any new off-licence premises for Te Kauwhata, Tuakau, Pokeno or any other future growth area within the district, be subject to the same rules and conditions as the rest of the district.
- Waikato DHB **recommends** a district-wide cap be discussed and considered by council.

Key information

The Sale and Supply of Alcohol Act 2012 (The Act) has failed in its objective to minimise alcohol-related harm in the most cost-effective policy areas such as alcohol taxation, minimum purchase age, and control of alcohol marketing. Furthermore, the Act fails to address the disproportionate impact on Māori or uphold and honour the Crown's obligations under Te Tiriti o Waitangi¹.

Alcohol is more affordable than ever. Beers, wines and spirits can be sold for under \$1 per standard drink. The budget end of the alcohol market has moved very little in price over the past few decades.¹

Alcohol marketing contributes to harmful alcohol consumption, failure to self-regulate, failure to protect children, and failure to afford Māori protection from alcohol-related harm. Exposure to sports sponsorship is associated with higher consumption of alcohol in both children and adults.²

The Act devolved responsibility to Territorial Authorities (TAs) to develop a Local Alcohol Policy (LAP) to improve community input into local alcohol licensing decisions, if they choose to. As at March 2022, only 32 TAs had an adopted LAP.³ The appeals process has resulted in LAPs being more permissive. The inability of strong restrictions in a LAP to make it through the appeals process has placed a significant burden on communities to be engaged in the licensing application process.⁴

Health is one of the key agencies that bears the burden of alcohol-related harm. Alcohol is a Group 1 carcinogen causally associated with seven types of cancer

¹ All District Health Boards. (2021). Heads of District Health Boards join forces to call for action to reduce alcohol harm. Accessed from chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://www.ahw.org.nz/Portals/5/Images/Documents/For%20Release%20-%20PR%20and%20DHB%20Position%20Statement%20on%20the%20Sale%20and%20Supply%20of%20Alcohol%20Act.pdf.

² Brown K. Association Between Alcohol Sports Sponsorship and Consumption: A Systematic Review. Alcohol and alcoholism (Oxford, Oxfordshire) 2016;51:747-55.

³ Alcohol Healthwatch. Status of Local Alcohol Policies, March 2022. Accessed from chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://www.ahw.org.nz/Portals/5/Resources/Documents-other/2022/LAP%20status%20March%202022.pdf

⁴ Alcohol Healthwatch. A review of Territorial Authority progress towards Local Alcohol Policy development.

including bowel, female breast, and liver cancer.⁵ More than 1000 New Zealanders die each year from their drinking.⁶ Breast cancer is the leading cause of alcohol-attributable death among females in New Zealand and more than one-third of these alcohol-attributable breast cancer deaths were attributed to an average consumption of <2 standard drinks per day.⁷

Data from the New Zealand Health Survey 2019/20 showed that one in five adults drink hazardously with males being twice as likely as females to be hazardous drinkers. Forty-four percent of Māori men and 29% of Māori women report hazardous drinking. Hazardous drinking prevalence is highest amongst those aged 25-34 years. Those living in the most socio-economically deprived areas were 1.3 times more likely to consume more than six drinks on an occasion at least weekly, when compared to adults in the least deprived areas.⁸ Young people experience more harm per standard drink than older drinkers.

Alcohol Outlet Density, Deprivation and Harm

It is now well established that people living in deprived areas of New Zealand live closer to pubs, bars, clubs and off-licensed premises than those living in wealthier areas.^{13,9} Hay (2009) reports that those living in more deprived urban areas do not need access to a vehicle to purchase alcohol as outlets are well within walking distance.¹³ Hay's research indicates that most alcohol outlets have other outlets located within 2km. In poorer areas of New Zealand there is greater access to pubs and bars than restaurants which are more common in wealthier areas. As a consequence, those living in poorer areas are more routinely exposed to alcohol promotion via signage, advertising, price competition and marketing of events such as happy hour than those living in wealthier areas. Hay (2009) notes differences in patterns of harm associated with pubs and bars versus restaurants, in that there are generally fewer assaults and less disorder attributable to the latter i.e. restaurants.¹³

Rural areas are a little different in that outlets tend to be locally clustered but each cluster is small and isolated from other clusters typically containing only a few outlets.¹³

Alcohol-related Waikato Emergency Department presentations

The burden of alcohol on the Waikato Hospital Emergency Department presentations is substantial. For the two-year period 1 June 2020 to 31 May 2022, there were 574 alcohol-related presentations from patients domiciled in the Waikato district. Ninety-seven percent (557) presented at Waikato Hospital in Hamilton.

The mean age of alcohol-related presentations for the Waikato District was 38 years. The highest number of presentations to ED were the 18-34 year olds (248 presentations) followed by those in the 45-54 year old age group. Sixty percent were male. Māori made up 45.5% (261) of all alcohol-related presentations from the

⁵ International Agency for Research on Cancer. Agents classified by the IARC Monographs, Volumes 1-125. Lyon, France: Author, 2019. Accessed from <https://monographs.iarc.fr/agents-classified-by-the-iarc>

⁶ Action Point. Alcohol Harm in New Zealand. Accessed from <https://www.actionpoint.org.nz/alcohol-harm-in-new-zealand>

⁷ Connor J, Kydd R, MacLennan B, Shield K, Rehm J. Alcohol-attributable cancer deaths under 80 years of age in New Zealand. *Drug Alcohol Rev* 2017; 36: 415-23

⁸ Ministry of Health. Annual Update of Key Results 2018/19: New Zealand Health Survey. Accessed from <https://www.health.govt.nz/annual-update-key-results-2019-20-new-zealand-health-survey>

⁹ Cameron, M.P.; Cochrane, W., Livingston, M. (2017). The relationship between alcohol outlets and harm: a spatial panel analysis for New Zealand, 2007-2014. Commissioned Research Report Prepared for the Health Promotion Agency. Department of Economics, University of Waikato.

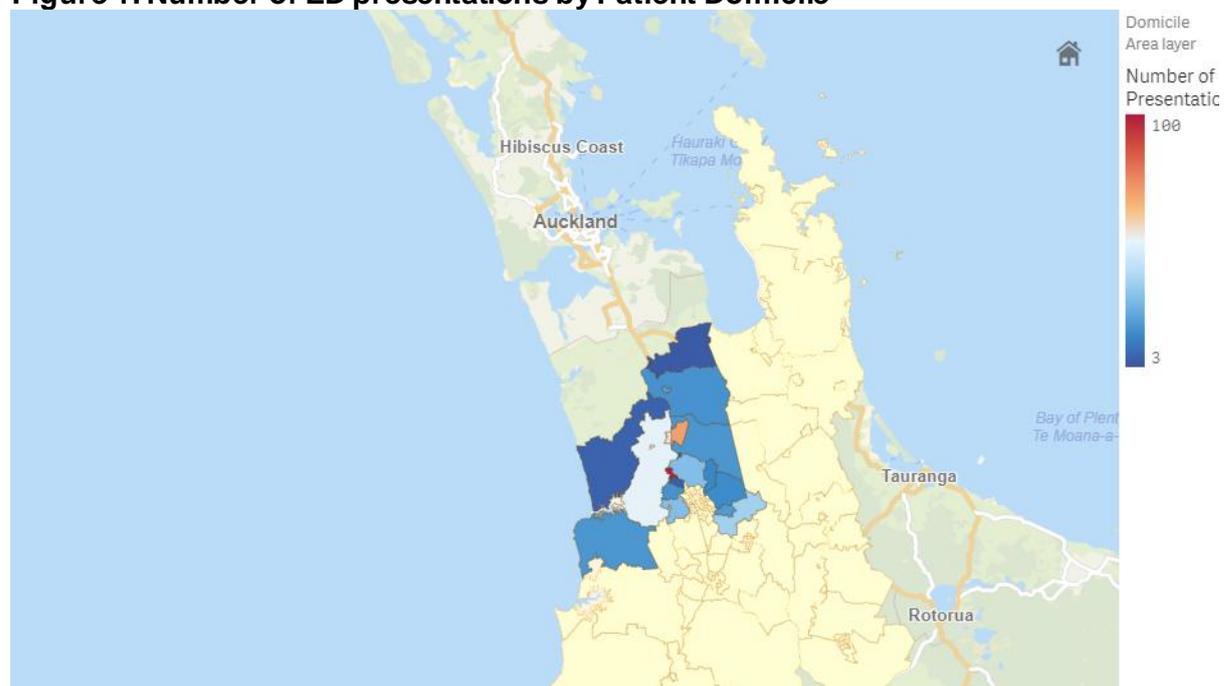
Waikato district.¹⁰ There were seven alcohol-related deaths at Waikato Hospital Hamilton during that time.¹¹

Deprivation

Deprivation¹² is a strong determinant of health. It is well established that poverty is a risk factor for poor health and those living in poor areas have higher mortality than those in wealthy areas.¹³ Exposure to poverty in childhood can have lifelong negative impacts on mental health¹⁴, and general health and wellbeing outcomes.

Of the patient domiciled addresses for the Waikato District, 45.4% (261 presentations) were domiciled in an area with a deprivation level of 8-10.¹⁵ Figure 1 below shows the number of ED presentations by Patient domicile. The dark red colour shows the highest number of ED presentations and the dark blue area the lowest number of ED presentations.

Figure 1: Number of ED presentations by Patient Domicile



Source: Inpatient Management System (iPM) via Costpro database, Waikato DHB

Within the Waikato district for the two-year period 31 May 2020 to 1 June 2022, 17% (100 presentations) were from people domiciled in Ngaruawahia; followed by 12% (70 presentations) Huntly East; 9.6% (55 presentations) Huntly West, and 9% (52

¹⁰ Inpatient Management System (iPM) via Costpro database, Waikato DHB

¹¹ These are ED episodes that were flagged as alcohol-related and during which time the patient died.

¹² The New Zealand Index of Deprivation (NZDep) is an area-based measure of socioeconomic deprivation and measures the level of deprivation of people in each small area or meshblock. NZDep estimates relative socioeconomic deprivation, not people, for example decile 1 represents areas with the least deprived scores while decile 10 represents areas with the most deprived scores.

¹³ Hay, G., Whigham, P., Kypri, K., Langley, J. (2009). Neighbourhood deprivation and access to alcohol outlets: A national study. University of Otago, Dunedin.

¹⁴ NIDEA (2017). Health Needs Assessment – Mental Health and Addiction Service Utilisation. National Institute of Demographic and Economic Analyses. University of Waikato, Hamilton.

¹⁵ The New Zealand Index of Deprivation (NZDep) is an area-based measure of socioeconomic deprivation and measures the level of deprivation of people in each small area or meshblock. NZDep estimates relative socioeconomic deprivation, not people, for example decile 1 represents areas with the least deprived scores while decile 10 represents areas with the most deprived scores.

presentations) from Glen Massey. There were 46 alcohol-related presentations from Raglan/Te Uku (8%).

Data recorded in this submission is only relevant to patients presenting to a Waikato Hospital Emergency Department and does not include alcohol-related presentations to a GP or clinic or for those who are not seen at all by a health professional.

Conclusion

As a health organisation, we are concerned that harm from alcohol remains unacceptably high and drives health inequities. Our organisation actively seeks to improve alcohol risk environments through legislative change and stronger, more effective alcohol policies. Waikato DHB applauds Waikato District Council for the strength of its current Local Alcohol Policy, amidst legislation that has failed in its objective to minimise alcohol-related harm. Our organisation looks forward to working alongside you to support and strengthen your LAP as required.

Yours sincerely



Dr Richard Hoskins
Medical Officer of Health
Public Health Waikato DHB