

11 November 2025

Ministry for Regulation/ Te Manatū Waeture
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Teena koe,

Waikato District Council (Council) welcomes the opportunity to provide feedback on the Hospitality Sector Review. As a territorial authority, we are both a regulator and a community advocate and have considered the review from the perspective of enabling effective business while supporting community health and safety across our urban and rural areas.

Our submission, informed by the operational experience of our Environmental Health Team, highlights several key matters:

- **Graduated Enforcement Tools Needed**
There is a significant gap between education and formal court action in food safety enforcement. More agile, proportionate, and practical enforcement mechanisms are required to support timely and effective regulatory responses.
- **Risks of Underground Operations**
Current enforcement pathways can unintentionally drive non-compliant food businesses underground risking increased public health risks and reduced visibility for regulators.
- **Support for a National Food Premises Rating System**
A publicly available national rating system would promote transparency, support good operators, and complement existing regulatory frameworks.
- **Alcohol-Related Harm and Responsibility**
Strengthening awareness among alcohol providers is critical to reducing harm. Alcohol misuse contributes to road deaths, violence, and community disruption, and those who manage and supply alcohol have a critical responsibility to prevent harm.
- **Low Rate of Appeals or Complaints**
Enforcement actions taken by the Council are rarely appealed or complained about, indicating a fair and balanced regulatory approach.

Council supports initiatives that strengthen the regulatory system's effectiveness, enhance enforcement agility, and improve public safety outcomes across the hospitality sector. We suggest that a more responsive and proportionate regulatory framework, one that bridges the gap between education and formal enforcement, will better serve both operators and communities.

Should you have any questions related to the submission materials, please contact Regulatory Services Manager, Rochelle Deane rochelle.deane@waikatodc.govt.nz.

Ngaa mihi,



Craig Hobbs
Chief Executive

Hospitality Sector Review Survey - Relevant questionnaire responses

9. Overall how would you rate hospitality businesses' understanding of the regulatory requirements placed upon them by the regulatory system you work in?

The level of understanding varies greatly, career trained individuals have a very good understanding whereas those entering the sector as a part-time or transient situation are much less versed in the regulatory system if at all.

Tick box: 4. They know a little about

10. What are the most common issues you encounter when conducting your work as a regulator in the hospitality sector?

A recurring issue in regulatory work within the hospitality sector is the limited understanding among some operators regarding their obligations to uphold standards of care and responsibility that protect the health, safety and wellbeing of the community and customers. The level of potential harm to people's immediate lives and extended family is often underappreciated by those in positions of responsibility or control.

11. What is the most common enforcement action your organisation takes in relation to hospitality businesses?

Provide details on the reasons, type of action, and general results of the action.

Our organisation prioritises education as the first step in regulatory engagement with hospitality businesses. Where direction is required to attain safety for the community then formal written direction is communicated to clearly outline any requirements and expectations.

If occasionally the situation involves imminent danger to health, such as contaminated food, Food Safety Officers work directly with operators to remove food from sale. If an occurrence, such as the sale of alcohol to a minor occurs, then formal action to the Alcohol Licensing Authority in conjunction with the Police, as a breach of the Sale and Supply of Alcohol Act. Concerns regarding licensing issues under the Sale and Supply of Alcohol are commonly heard at District Licensing Committee hearings, which provide a structured forum for assessing compliance and ensuring responsible service

12. As far as you are aware, how common is it for regulatory enforcement actions to be appealed, or complaints laid about your organisation?

Tick box: Very Rare

13. Overall, how would you rate the performance of the regulatory system against the following criteria? [tick box that applies for each category]

(Required)	Fully meets criteria	Mostly meets criteria	Dose not meet most of the criteria	Does not meet any of the criteria
Effective – achieves the intended benefits and policy objective(s)	•			
Effective – costs of meeting regulatory requirements do not outweigh the benefits achieved by those requirements	•			
Proportionate to the risk posed – an appropriate balance is struck between regulatory control and operational freedom	•			
Adaptable – can respond to technological, market, or societal changes		•		
Easy to comply with (for regulated parties)	•			
Easy to enforce – appropriate tools are available to regulators		•		

14. Do you think there are any gaps in the regulatory system?

Tick box : Yes

What are the gaps? Please be as specific as possible.

Within the food enforcement arena there is a lack of ability for territorial authorities to take immediate and agile action to prevent injury to health where an operator is non-cooperative. When education fails in the food area, court action for example is costly, long drawn out and often the consequence is not always appropriate for the potential risk to the community. This can hinder the ability to respond effectively where swift action is necessary to uphold public safety and wellbeing.

15. Do you think there are any areas of duplication and/or inconsistency in the regulatory system, or between this and other regulatory systems?

Tick box : Yes

What are the areas of duplication and/or inconsistency? Please be as specific as possible.

There is too large a step between education and formal court action in the food area. There needs to be more useful and agile steps that have a consequence before action in the court is reached. In cases involving smaller food businesses, deregistration due to poor performance can unintentionally drive operations underground, increasing risk to public health. More support from the Ministry of Primary Industries would be valuable to form systems to deal with this, such as, a publicly available national rating of food premises so consumers can support good operators. Such a system would complement existing regulatory frameworks and promote transparency and accountability across the sector.

16. Considering your answers to the previous questions, do you think the regulatory system(s) should be changed and if so, how and why? Please be as specific as possible.

Yes, there is a clear need for change within the regulatory system relating to food to better support effective enforcement. Specifically, a more graduated process to enforcement is required with more practical steps and options between education and formal court action.

17. Is there anything else you would like to tell us?

Legislation and process set out expectations reasonably well, particularly the Sale and Supply of Alcohol Act, that has significant benefits to business. However there remains a need to strengthen awareness and knowledge among those in positions of responsibility, such as bar owners and managers, to reduce alcohol-related harm. When alcohol is not managed well the impacts on community can be significant. It is understood that approximately 25 percent of road deaths are associated in part with alcohol or other drug use. Alcohol also contributes to violence both domestic and in public, and other behavioural issues in the community.

Those who manage and supply alcohol in our communities have a critical responsibility to prevent harm.

18. Would you like to be considered for a focus group to test the Review's findings and options for change in early 2026?

Tick box : Yes