

Mā tō tātou takiwā  
**For our District**

## **Policy Committee**

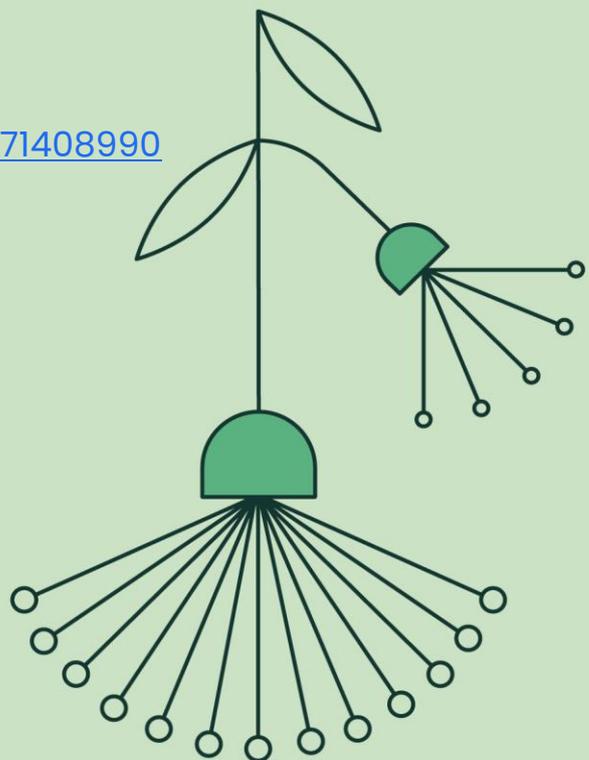
Komiti Kaupapa Here

PP22-2

Thursday, 10 March 2022, 9.30am

Via Zoom

<https://westernbay-govt-nz.zoom.us/j/85771408990>



# Policy Committee

## Membership:

<b>Chairperson</b>	Mayor Garry Webber
<b>Deputy Chairperson</b>	Cr Monique Gray
<b>Members</b>	Cr Grant Dally Cr Mark Dean Cr James Denyer Cr Murray Grainger Cr Anne Henry Cr Kevin Marsh Cr Margaret Murray-Benge Deputy Mayor John Scrimgeour Cr Allan Sole Cr Don Thwaites
<b>Quorum</b>	6
<b>Frequency</b>	Six weekly

## Role:

- To develop and review strategies, policies, plans and bylaws to advance the strategic direction of Council and its communities.
- To ensure an integrated approach to land development (including land for housing), land use and transportation to enable, support and shape sustainable, vibrant and safe communities.
- To ensure there is sufficient and appropriate housing supply and choice in existing and new urban areas to meet current and future needs.

## Scope:

- Development and review of bylaws in accordance with legislation including determination of the nature and extent of community engagement approaches to be employed.
- Development, review and approval of strategies and plans in accordance with legislation including determination of the nature and extent of community engagement approaches to be employed.
- Subject to compliance with legislation and the Long Term Plan, to resolve all matters of strategic policy outside of the Long Term Plan process which does not require, under the Local Government Act 2002, a resolution of Council.
- Development of District Plan changes up to the point of public notification under the Resource Management Act 1991.
- Development of the Future Development Strategy and urban settlement plan.
- Consider and approve changes to service delivery arrangements arising from service delivery reviews required under the Local Government Act 2002 (provided that where a service delivery proposal requires an amendment to the Long Term Plan, it shall thereafter be progressed by the Annual Plan and Long Term Plan Committee).

- To report to Council on financial implications of policies and recommend any changes or variations to allocated budgets.
- Listen to and receive the presentation of views by people and engage in spoken interaction with people pursuant to section 83(1)(d) of the Local Government Act 2002 in relation to any processes Council undertakes to consult on under the special consultative procedure as required by the Local Government Act 2002 or any other Act.
- Oversee the development of strategies relating to sub-regional parks and sub-regional community facilities for the enhancement of the social and cultural wellbeing of the Western Bay of Plenty District communities, for recommendation to Tauranga City Council and Western Bay of Plenty District Council.
- Develop the draft Statement of Intent for any Council Council-Controlled organisation (CCO) and review, assess and make recommendations to Council on any modifications to CCO or other entities' accountability documents (i.e. Letter of Expectation, Statement of Intent) or governance arrangements.
- Approve Council submissions to central government, councils and other organisations, including submissions on proposed plan changes or policy statements.
- Receive and make decisions and recommendations to Council and its Committees, as appropriate, on reports, recommendations and minutes of the following:
  - SmartGrowth Leadership Group
  - Regional Land Transport Committee
  - Any other Joint Committee, Forum or Working Group, as directed by Council.
- Receive and make decisions on, as appropriate, any matters of a policy or planning nature from the following:
  - Waihi Beach, Katikati, Ōmokoroa, Te Puke and Maketu Community Boards,
  - Maketu-Te Puke Ward Forum
  - Kaimai Community Ward Forum
  - Katikati- Waihi Beach Ward Forum

### Power to Act:

- To make all decisions necessary to fulfil the role and scope of the Committee subject to the limitations imposed.

### Power to Recommend:

- To Council and/or any Committee as it deems appropriate.

### Power to sub-delegate:

- The Committee may delegate any of its functions, duties or powers to a subcommittee, working group or other subordinate decision-making body subject to the restrictions within its delegations and provided that any such sub-delegation includes a statement of purpose and specification of task.

Notice is hereby given that a Policy Committee Meeting will be held  
via Zoom on:  
Thursday, 10 March 2022 at 9.30am

## Order Of Business

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**1 PRESENT****2 IN ATTENDANCE****3 APOLOGIES****4 CONSIDERATION OF LATE ITEMS****5 DECLARATIONS OF INTEREST**

Members are reminded of the need to be vigilant and to stand aside from decision making when a conflict arises between their role as an elected representative and any private or other external interest that they may have.

**6 PUBLIC EXCLUDED ITEMS****7 PUBLIC FORUM**

A period of up to 30 minutes is set aside for a public forum. Members of the public may attend to address the Board for up to five minutes on items that fall within the delegations of the Board provided the matters are not subject to legal proceedings, or to a process providing for the hearing of submissions. Speakers may be questioned through the Chairperson by members, but questions must be confined to obtaining information or clarification on matters raised by the speaker. The Chairperson has discretion in regard to time extensions.

Such presentations do not form part of the formal business of the meeting, a brief record will be kept of matters raised during any public forum section of the meeting with matters for action to be referred through the customer contact centre request system, while those requiring further investigation will be referred to the Chief Executive.

**8 PRESENTATIONS**

## 9 REPORTS

### 9.1 LOCAL ALCOHOL POLICY AND ALCOHOL CONTROL BYLAW REVIEWS – DELIBERATIONS AND ADOPTION OF PROVISIONAL POLICY AND RECOMMENDATION TO COUNCIL FOR ADOPTION OF THE BYLAW

**File Number:** A4475144

**Author:** Matthew Leighton, Senior Policy Analyst

**Authoriser:** Rachael Davie, Group Manager Policy Planning And Regulatory Services

#### EXECUTIVE SUMMARY

1. 135 submissions to the Local Alcohol Policy and Alcohol Control Bylaw reviews were received and are presented to the Committee for consideration.
2. The Committee may consider further changes to the proposed Local Alcohol Policy and Alcohol Control Bylaw in light of the submissions received through the consultation period.
3. The paper has been broken down into three key elements:
  - (a) Local Alcohol Policy,
  - (b) Alcohol Control Bylaw,
  - (c) Non-regulatory measures.
4. A draft Provisional Local Alcohol Policy and draft Alcohol Control Bylaw are presented for adoption and public notification and recommendation to Council respectively.

#### RECOMMENDATION

1. That the Senior Policy Analyst's report dated 10 March 2022, titled 'Local Alcohol Policy and Alcohol Control Bylaw Reviews – Deliberations and Adoption of Provisional Policy and Recommendation to Council for Adoption of the Bylaw', be received.
2. That the report relates to an issue considered to be of medium significance in terms of Council's Significance and Engagement Policy.
3. That, in considering the submissions received and the options presented through Attachment B of the agenda report, the following options for the Provisional Local Alcohol Policy are chosen:
  - a. Off-licence hours: Option B – Final sales time to be 9.00pm.

- b. Limit on numbers of bottle stores in the Te Puke – Maketu ward area: Option A – Amend wording to allow for the sale of existing licenced premises or relocation of an existing premise to a site nearby.
  - c. Location of the limit on new bottle stores: Option A – Limit applies in Te Puke/Maketu Ward only.
  - d. Limit on new bottle stores or expand type: Option A – Limit on new bottle stores only.
  - e. Off-licence conditions / discretionary conditions: Option F – Do not introduce new conditions/discretionary conditions.
  - f. On licences hours: Option A – Retain the current Local Alcohol Policy (LAP) provisions.
  - g. One way door policy: Option C – Delete the one way door provision.
  - h. Club licences: Option A – Create a separate section for Club licences but retain the current LAP provisions.
  - i. Club licence hours: Option A – Retain current hours 9.00am-1.00am.
  - j. Special licences: Option A – Retain the current LAP provisions.
4. That the provisional Local Alcohol Policy be adopted, as per attachment C of the agenda report, and publicly notified.
  5. That, in considering the submissions received and the options presented through Attachment B of the agenda report, the following options for the Alcohol Control Bylaw are chosen:

The extent of the alcohol control areas: Option A – Expand the existing Alcohol Control Area to cover Te Puke more broadly.
  6. That pursuant to s147A and s147B of the Local Government Act 2002, Council is satisfied, in relation to the alcohol ban proposed in Te Puke in the draft Alcohol Control Bylaw 2022, that there is evidence that the area to which the bylaw is intended to apply has experienced a high level of crime and disorder, that can be shown to have been caused or been made worse by alcohol consumption in the area.
  7. That pursuant to s147A and s147B of the Local Government Act 2002, Council is satisfied, in relation to the alcohol bans proposed in Katikati and Waihi Beach in the draft Alcohol Control Bylaw 2022, that a high level of crime and disorder (caused or made worse by alcohol consumption in the area concerned) is likely to arise in the area to which the bylaw is intended to apply, if the bylaw is not made.
  8. That pursuant to s147A and s147B of the Local Government Act 2002, Council is satisfied that the draft Alcohol Bylaw 2022 can be justified as a reasonable limitation on people's rights and freedoms, and that the draft bylaw is appropriate and proportionate, in light of the crime and disorder.

9. That pursuant to s155 of the Local Government Act 2002, Council confirms that a bylaw is the most appropriate way of addressing the perceived problems, the draft bylaw is the most appropriate form of bylaw, and that the draft bylaw does not give rise to any implications under the New Zealand Bill of Rights 1990.
10. That the draft Alcohol Control Bylaw, as per attachment D of the agenda report, be recommended to Council for adoption and that it come into force on 6 May 2022.
11. That the non-regulatory actions, set out in paragraph 22 of the agenda report, also be progressed.
12. That the Policy Committee requests that the Chief Executive Officer directs staff to prepare a decision document as the formal response to submitters, in general accordance with the resolutions made in relation to this report, and recommends to Council that this is adopted alongside the final Alcohol Control Bylaw.

## BACKGROUND

5. Council consulted on the Draft Local Alcohol Policy and the Draft Alcohol Control Bylaw between 5 November and 6 December 2021. 135 submissions were received, with eight submitters also choosing to speak to their submissions on 14 December 2021.
6. Submitters raised points in support of their positions and matters they wished Council to consider in making its decision. The key topics and commentary are provided below.
7. Attachment A provides the full copy of submissions.
8. A number of options were suggested, each with their own merits and limitations. These are presented in Attachment B for the Committee's consideration.

## LOCAL ALCOHOL POLICY

9. A mix of individuals, businesses and health agencies submitted on the Policy.
10. Key themes included:
  - (a) Further restriction of off-licence hours
  - (b) Extend the limit on off-licences
  - (c) Introduce discretionary conditions for off licences
  - (d) On licence matters
  - (e) Club licence matters
  - (f) Minor corrections and format edits
  - (g) Non policy matters – District Licencing Committee membership, legislative change, education, enforcement matters.

11. Council may decide to make any changes to reflect the information and views presented through the submissions process. The options and submissions received are discussed in Attachment B.
12. The highlighted options relate to the content of the draft Provisional Policy as per Attachment C.
13. There are only two changes proposed from the draft to the draft Provisional LAP.
  - (a) The removal of one-way door provisions for on- licences and club licences.
  - (b) Additional text that would provide for the new licences for bottle stores in the Te Puke-Maketu ward area, only where this is due to the sale of an existing premise or due to relocation to a nearby site.
14. The draft Provisional Policy (Attachment C) is presented to the committee for public notification, as per section 80 of the Sale and Supply of Alcohol Act 2012.
15. Following adoption of the provisional LAP, there is the opportunity for the Police, Medical Officer of Health and those that submitted on the draft policy to appeal against an element of the provisional LAP.
16. Appeals may only be on the grounds that it is 'unreasonable in the light of the object of the Act' and appeals are heard by the Alcohol Regulatory and Licensing Authority (ARLA).

### **ALCOHOL CONTROL BYLAW**

17. Council may decide to make any changes to the Alcohol Control Bylaw to reflect views presented through the submissions process. The options and submissions received are discussed in Attachment B.
18. The highlighted options relate to the content of the draft Bylaw as per Attachment D. No changes to the version publicly consulted have been included.
19. Following Committee recommendation, the draft Bylaw will be presented to Council for adoption on 6 April. It would then become operational one month later on 6 May, to allow time for signage to be prepared and placed.

### **NON-REGULATORY MATTERS**

20. Several submitters (21) suggested Council undertake non-regulatory actions. These either suggested new actions or requested Council go further in specific matters.
21. Alongside adopting the draft LAP and draft Bylaw for consultation (Policy Committee Meeting, 19 October 2021), the Policy Committee also resolved that alcohol harm be further considered through other non-regulatory processes.
22. Further to this, several additional actions are presented to the committee for consideration:

- (a) Council seeks to increase public awareness of new alcohol licence applications and renewal applications for on-licences, off-licences and club licences.
- (b) Council seeks a wide diversity of candidates for the District Licencing Committee and consider who is included on the appointment panel.
- (c) Council outline submitters concerns with Police and seek greater Police - Council collaboration.
- (d) Council will respond to future Central Government-led work on Alcohol reform.
- (e) Council will consider alcohol harm as part of the current Community Safety Policy Review.

These additional non-regulatory actions will help deliver on the Policy and Bylaw purposes and look to minimise alcohol related harm.

### NEXT STEPS

- 23. Once adopted by the Policy Committee, the LAP will then become provisional for one month, during which time it may be appealed. This a prescribed legislative process. If there are no appeals, the policy will become operative.
- 24. The Bylaw will need to be adopted by Council on 6 April 2022 and will then become operational one month later, on 6 May 2022, to allow time for signage to be prepared and placed.

### SIGNIFICANCE AND ENGAGEMENT

- 25. The Local Government Act 2002 requires a formal assessment of the significance of matters and decision in this report against Council's Significance and Engagement Policy. In making this formal assessment there is no intention to assess the importance of this item to individuals, groups, or agencies within the community and it is acknowledged that all reports have a high degree of importance to those affected by Council decisions.
- 26. The Policy requires Council and its communities to identify the degree of significance attached to particular issues, proposals, assets, decisions, and activities.
- 27. In terms of the Significance and Engagement Policy this decision is considered to be of medium significance because there is clear community interest and divergent views (as evidenced by the submissions received). The decision may be reversed at the time of next review or may be reviewed earlier should Council direct that in the future.

### ENGAGEMENT, CONSULTATION AND COMMUNICATION

- 28. Engagement with key stakeholders and the wider community has been an important part of the review and is also legislatively required.

29. Pre-engagement was undertaken with key, legislatively defined, stakeholders (Police, Medical Officer of Health, Alcohol Licencing Inspector) and feedback on alcohol in the community was sought from a range of stakeholders including Community Boards, Community Patrols and Hauora.
30. The Special Consultative Procedure (SCP) is required to make, amend or revoke bylaws and to review the Local Alcohol Policy. Formal community submissions have been sort, alongside targeted engagement with stakeholders and key parties.

Interested/Affect ed Parties	Completed/Planned Engagement/Consultation/Communication	
	Planned	Comple
Name of interested parties/groups		
Submitters	<p>The Provisional Local Alcohol Policy must be publicly notified as per the Sale and Supply of Alcohol Regulations 2013.</p> <p>Following adoption of the final Bylaw and the Provisional Local Alcohol Policy, a decision story will be made available to submitters.</p>	
Council Alcohol Licensing Inspector, Police and DHB	Key legislatively identified stakeholders engaged with as part of the research and options development stage and input sought as part of the formal engagement process with targeted communications.	
All licenced premises in the District, Community Boards, Community Patrols, Citizens Advice Bureau, Tauranga Budget Advisory Service, Empowerment NZ, Appellants to the previous LAP.	Identified stakeholders have been engaged with as part of the research and options development stage. Further input sought as part of the formal engagement process with targeted communications.	
Tangata Whenua via Hauora	Identified stakeholders have been engaged with as part of the research and options development stage	

	and input sought as part of the formal engagement process with targeted communications.		
General Public	Information from other engagement processes has been used in the research and options development stage. Public feedback was sought as part of the formal engagement process in a range of formats.		

**ISSUES AND OPTIONS ASSESSMENT**

31. There are a number of potential options that address the overall issue and respond to the object of the Sale and Supply of Alcohol Act 2012, meet the Policy goals and reflect submitters points.
32. The Policy and the Bylaw are only one set of tools that should be considered if we are to look at the issue holistically.
33. The options relating to the content of the Provisional Local Alcohol Policy and Draft Alcohol Control Bylaw are set out in Attachment B.
34. The Committee is also recommended to resolve to adopt the Provisional Local Alcohol Policy (Attachment C) and to recommend that Council adopt the Alcohol Control Bylaw (Attachment D). The options regarding these decisions are given below.

<b>Option A</b> <b>That the Provisional Local Alcohol Policy be adopted and publicly notified.</b>	
<b>Assessment of advantages and disadvantages including impact on each of the four well-beings</b>	The Provisional LAP (as per Attachment C) takes into consideration the submissions received and also reflects the research report and stakeholder input.  The Provisional LAP will be publicly notified and may be appealed.
<b>Costs (including present and future costs, direct, indirect and contingent costs).</b>	The project costs of the review are met within current operational funding. Specific provision has been made for legal costs arising from any appeal, based on the costs incurred through the 2015 appeals process.
<b>Option B</b> <b>That the Provisional Local Alcohol Policy is not adopted.</b>	

<p><b>Assessment of advantages and disadvantages including impact on each of the four well-beings</b></p> <ul style="list-style-type: none"> <li>• <b>Economic</b></li> <li>• <b>Social</b></li> <li>• <b>Cultural</b></li> <li>• <b>Environmental</b></li> </ul>	<p>The current LAP would remain in force. This would not necessarily align with the submissions received or reflects the research report and stakeholder input.</p> <p>The review could be deferred, more information prepared, and items reconsidered.</p> <p>Rework may incur increased costs.</p>
<p><b>Costs (including present and future costs, direct, indirect and contingent costs).</b></p>	<p>The project costs may not be incurred in the short term but will be required to meet our legislative requirements.</p> <p>Further cost maybe incurred if an extended delay is introduced, and information requires updating.</p>

<p><b>Option C</b>  <b>That the draft Alcohol Control Bylaw be recommended to Council for adoption.</b></p>	
<p><b>Assessment of advantages and disadvantages including impact on each of the four well-beings</b></p> <ul style="list-style-type: none"> <li>• <b>Economic</b></li> <li>• <b>Social</b></li> <li>• <b>Cultural</b></li> <li>• <b>Environmental</b></li> </ul>	<p>The Draft Alcohol Control Bylaw (as per Attachment D) takes into consideration the submissions received and also reflects the evidence and stakeholder input during it’s development.</p>
<p><b>Costs (including present and future costs, direct, indirect and contingent costs).</b></p>	<p>The project costs of the review are met within current operational funding.</p>
<p><b>Option D</b>  <b>That the draft Alcohol Control Bylaw is not recommended to Council for adoption.</b></p>	
<p><b>Assessment of advantages and disadvantages including impact on each of the four well-beings</b></p> <ul style="list-style-type: none"> <li>• <b>Economic</b></li> <li>• <b>Social</b></li> <li>• <b>Cultural</b></li> <li>• <b>Environmental</b></li> </ul>	<p>The current Alcohol Control Bylaw would remain in force. This would not necessarily align with the submissions received or reflect the evidence and stakeholder input.</p> <p>The review could be deferred, more information prepared, and items reconsidered.</p> <p>Rework may incur increased costs.</p>

<b>Costs (including present and future costs, direct, indirect and contingent costs).</b>	Further cost maybe incurred if an extended delay is introduced, and information requires updating.
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### STATUTORY COMPLIANCE

35. The Sale and Supply of Alcohol Act 2012 empowers territorial authorities to develop LAPs. Sections 75–97 of the Sale and Sale and Supply of Alcohol Act 2012 set out the requirements and process regarding development or review of LAPs.
36. The requirements for making bylaws for alcohol control purposes are set out in the Local Government Act 2002, principally section 147, 147A and 147B.
37. Under s155 of the LGA, there are considerations that must be taken before making a bylaw, regarding appropriate form and any implications under the New Zealand Bill of Rights Act 1990. These have been discussed in the Policy Committee Report dated 19 October 2021. The draft Bylaw is considered to be appropriate. The Bylaw is not considered to give rise to any implications under the New Zealand Bill of Rights Act 1990. The amendments to the Bylaw are consistent with Council’s other policies, strategies and plans.
38. Specific resolutions have been included and the recommendations in this report allow Council to meet these legislative requirements.

### FUNDING/BUDGET IMPLICATIONS

39. The project costs of the reviews are met within current operational funding.
40. Specific provision has been made for legal costs arising from any appeal to the Provisional LAP, based on the costs incurred through the 2015 appeals process.
41. The cost of installing Alcohol Control Area signage is met within current operational budgets.

### ATTACHMENTS

1. **Alcohol Deliberations – Full Submission Pack**  
2. **Discussion of options for consideration as a result of submissions**  
3. **Draft Provisional Local Alcohol Policy**  
4. **Draft Alcohol Control Bylaw**  



**Mā tō tātou hapori**  
**For our community**

**Local Alcohol Policy and Alcohol Control Bylaw**  
Submissions Pack



**Western  
Bay of Plenty**  
District Council

**Submitter list for the Local Alcohol Policy/Alcohol Control Bylaw Review 2021**

Sorted by: ID

<u>Full Name</u>	<u>Submitter ID</u>	<u>Page Ref</u>
JEFFERY-WATSON, BRONWYN JILL	1	5
RANGIURU SPORTS CLUB INCORPORATED	2	8
TAPSELL, PAREURUORA	3	9
MOON, DONNA	4	10
CHALMERS, JILL JERENE	5	11
MITCHELL, CHRISTOPHER JOHN	6	12
SOLOMON, ESTHA LUANNE	7	13
MATTHEWS, BRAD JOHN	8	14
MCALLISTER, NGAWAIATA	9	15
PARTON, KAREN DENISE	10	16
DEWDNEY, RUTH KATHLEEN	11	17
YEABSLEY, ADAM	12	18
MONIKA, ERENA NGAHUE MAL	13	19
WILSON, GARY ALAN CLARK	14	20
ROUNDS, SJAAN ELIZABETH	15	21
WICHERS, ANDREW ALBERTUS	16	22
REID, ADRIENNE TE WAIPAREMO	17	23
O'DWYER, KIMBERLY	18	24
ATKINSON, PHYLLIS AWHINA TUI	19	25
ROUNDS, PATRICK	20	26
BROWN, SARAH KATIE	21	27
JONES, ANN	22	28
BENNETT, ROANA	23	29
WOOD, LAURA	24	30
PRATT, ZARA	25	31
MEIKLE, KAREN	26	32
WALKER, GRAEME FRANCIS	27	33
PATTISON, LESLIE ALLEN	28	34
STACEY, VICKI LEE	29	35
WEST, ANDREW CHARLES	30	36
KOSTER, VANESSA	31	37
SELLERS, BRYAN MICHAEL	32	38
JONES, RENEE NATASHA	33	39
ANONYMOUS, A	34	40
SMART, SIMON JEFFREY	35	41
SENF, PETRUS	36	42
WILLIAMS, PHILIP ROYDEN	37	43
SELLERS, KAREN MARY	38	44
CRIBB, KAREN MURIEL	39	45
PATON, MARGARET LOUISE	40	46
LITCHFIELD, CAROL ANN	41	47
VAN RIJ, PAMELA	42	48
THOMSON, NEIL	43	49
NEGRETTI, JESSE CHARLES	44	50
HOPKINS, OLIVIA	45	51

**Submitter list for the Local Alcohol Policy/Alcohol Control Bylaw Review 2021**

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NORTH, HARLEY	46	52
RAPANA, WENDY	47	53
RUTTERSMITH, LEON DAVID	48	54
REMUS, JOHN WILLIAM	49	55
TAPPER, GINA MAREE	50	56
SUTHERLAND, KATHERINE NETTA	51	57
SCHULTZ, IAN JOSEPH	52	58
HUNT, MARILYN GRACE	53	59
REID, BARBARA	54	60
OTTESEN, JOSEPH MARCUS GRAESBOLL	55	61
SMITH, BRENDAN JAMES LOUIS	56	62
MOUAT, GARETH	57	63
KEILL, NATASHA AMY	58	64
FIRTH, HEATHER DOREEN	59	65
PARKER, HELEN MARGARET	60	66
BARUGH, KEVIN EARL	61	67
LUDBROOK, SUSAN	62	68
KIRSTEN, ARRISON GUILHERME DE MORAES	63	69
BURNS, STUART DAVID	64	70
FITTER, JULIAN RICHMOND	65	71
PEARCE, ROWENA JADE	66	72
WHITTEN, BRETT MARK	67	73
RYAN, RACHEL	68	74
BALL, JEREMY	69	77
MELTON, JOANNE MAREE	70	78
WALDEN, STACEY LYNN	71	79
COLE, SHAUN	72	80
ROSE, ALFRED ERNEST	73	81
HAAMI, JASMINE	74	82
BARTOSH, LEIGH JAMES	75	83
HEENS, CARL LEO	76	84
GEARON, MELANIE JEAN	77	85
WALLACE, ANGELA	78	86
WELLS, SHIRLEY ANN	79	87
RUNDELL, MELANIE	80	88
PARKER, CAROLE DIANE	81	89
DUNCAN, ROBERT	82	90
GARNEAU, LINDSEY	83	91
WALLACE, ARTORIER	84	92
GLENN, MATT	85	93
MALCOLM, MICHELLE	86	94
ANONYMOUS, B	87	95
ROLLESTON, CATHERINE ANNE	88	96
ALEXANDER, ADELE	89	97
ROBINSON, MARTYN LESLIE	90	98

**Submitter list for the Local Alcohol Policy/Alcohol Control Bylaw Review 2021**

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<u>Full Name</u>	<u>Submitter ID</u>	<u>Page Ref</u>
KAUR, JASLEEN	91	99
TE RUNANGA O NGAI TE RANGI IWI TRUST (TRONIT)	92	100
STEVENSON, MARTY	93	107
GLYNAN, SHELAGH MAUREEN	94	108
STEWART, RICK	95	109
BOWLES, PAIGE	96	110
GIBSON, JEREMY	97	111
RHYNDRESS, ROBERT	98	112
GIBBS, KEVIN	99	113
JACKS, ANDREA VIVIAN	100	114
HOLMES, ALLISTER WILLIAM	101	115
BALLENTYNE, HEATHER ANN	102	116
MCSWEENEY, ORA	103	117
DARRALL, CRAIG WILLIAM	104	118
HANNAN, SHANE	105	119
TUPOU, MALIA SOIFUA	106	120
BANBURY, DIANE VIVIENNE	107	121
BALK, MARTIN	108	122
LINTON, MURRAY WALTER	109	123
RIE HORIBA, LEAH	110	124
O'NEILL, NIKKI	111	125
RABINOWITZ, TAP	112	126
JONSON, BRUCE ANDREW	113	127
SAUNDERS, ERIN	114	128
MUNKEDAL, IVAN	115	129
SAVAGE, MONIQUE SAMANTHA	116	130
PEINA, KRISTINA	117	131
HALL, MARY SUZANNE	118	132
YEAGER, TUI MARIA	119	133
FLINTOFF, LEE	120	134
ANDREW, ATTIYA	121	135
TOI TE ORA PUBLIC HEALTH	122	136
GRADWELL, BRYN	123	137
ALCOHOL HEALTHWATCH	124	138
OMOKOROA BOWLING CLUB INCORPORATED	125	158
CANCER SOCIETY OF NZ WAIKATO/BOP DIVISION (INC)	126	159
KAINGA TUPU TASKFORCE	127	165
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Feedback Number and Date Received

Office use only

001

RECEIVED

03 DEC 2021

WBOPDC TE PUKE

# Have your say on the future of your District

**Western Bay of Plenty District Council** FEEDBACK FORM

- Draft Local Alcohol Policy and Draft Alcohol Control Bylaw

We appreciate you taking the time to let us know what you think about our draft Local Alcohol Policy and draft Alcohol Control Bylaw. Please read the statement of proposals, draft policy and draft bylaw available at any of our service centres or at [haveyoursay.westernbay.govt.nz](http://haveyoursay.westernbay.govt.nz) and then let us know what you think!

Visit [haveyoursay.westernbay.govt.nz](http://haveyoursay.westernbay.govt.nz) to make a submission online.

Otherwise fill out this feedback form and either

- Deliver your submission to the Katikati, Te Puke, Ōmokoroa and Waihi Beach Library and Service Centres or the Main Council Office at Barkes Corner
- Email it to [haveyoursay@westernbay.govt.nz](mailto:haveyoursay@westernbay.govt.nz)
- Mail it to: Local Alcohol Policy Review and Alcohol Control Bylaw  
Western Bay of Plenty District Council  
Private Bag 12803  
Tauranga Mail Centre  
Tauranga 3143

Please note: All the information you provide in your feedback form (including personal details) will become public documents.

*For photocopying purposes, please write clearly in black or blue pen.*

All written feedback must be received by 4pm on Monday 6 December 2021

Name: Jill Jeffery-Natso  
First name Surname

Organisation (only if submitting on behalf): \_\_\_\_\_

Postal address: 62 Conway Rd, RD9, Te Puke 3189

Home phone: 533 1800 Mobile: 021 1196291

Email: \_\_\_\_\_

Signature: [Signature] Date: 3/12/21

I would like to give feedback in person on Tuesday 14 December 2021 Yes/No

*(If you answered 'yes' to giving feedback in person, staff will be in touch to arrange a time.)*

**Please use the reverse of this form for your submission**

**Privacy Act 2020:** This form and the details of your submission will be publicly available as part of the decision-making process. The information will be held at the offices of the Western Bay of Plenty District Council at 1484 Cameron Road, Tauranga. Submitters have the right to access and correct their personal information.

 **Western Bay of Plenty District Council** **FEEDBACK FORM**

Please use the space below to comment on any aspects of the policy or bylaw. You can attach extra pages if necessary.

**1. Local Alcohol Policy – Off licence hours**

Do you agree with the proposed change to the maximum hours for off licences to 7am -9pm (currently 7am-10pm)?

- Option 1                    **I agree** with the proposed change
- Option 2                    **I do not** agree with the proposed change
- Option 3                    Other (please comment below)

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**2. Local Alcohol Policy – Bottle stores in the Te Puke – Maketu ward area**

Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke - Maketu ward?

- Option 1                    **I agree** with the proposed change
- Option 2                    **I do not** agree with the proposed change
- Option 3                    Other (please comment below)

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**3. Local Alcohol Policy – Other actions or comments**

Are there any other changes you would like to see in the Local Alcohol Policy or further actions that could be taken to address alcohol related harm? Are there any comments you wish to make on any other changes in the Policy?

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**Continued on the following page**

**Privacy Act 2020:** This form and the details of your submission will be publicly available as part of the decision-making process. The information will be held at the offices of the Western Bay of Plenty District Council at 1484 Cameron Road, Tauranga. Submitters have the right to access and correct their personal information.



**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022**

**Name:** Kuini Te Amo

**Organisation (if applicable):** Rangioru Sports Club Inc

**Submitter ID:** 2

**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

I do not agree with the proposed change

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

I agree with the proposed change

**Local Alcohol Policy – Other actions or comments**

Yes, stop penalising the majority just because a minority is not obeying the rules.  
This seems to be all government' bodies approach.

**Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

I do not agree with the proposed changes

**Alcohol Control Bylaw – Other actions or comments**

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022**

**Name:** Pare Tapsell

**Organisation (if applicable):**

**Submitter ID:** 3

**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

11pm – 10pm

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

Maketu does Not have a bottle store.

One bottle store would be ideal in Maketu.

There are too many bottle stores in Te Puke – get rid of at least one (1), but two (2) would be desirable.

**Local Alcohol Policy – Other actions or comments****Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

I don't reside in Te Puke

**Alcohol Control Bylaw – Other actions or comments**

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022**

**Name:** Donna Moon

**Organisation (if applicable):**

**Submitter ID:** 4

**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

I agree with the proposed change

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

I agree with the proposed change

**Local Alcohol Policy – Other actions or comments**

Off licence hours should also start later – propose 11am – 9 pm

**Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

I agree with the proposed changes

**Alcohol Control Bylaw – Other actions or comments**

There are several areas in Tauranga ward which have too many off licence businesses. There needs to be fewer.

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022**

**Name:** Jill Chalmers

**Organisation (if applicable):**

**Submitter ID:** 5

**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

I agree with the proposed change

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

I agree with the proposed change

**Local Alcohol Policy – Other actions or comments**

Yes. We should limit the addition of off-license establishments at downtown Mount Maunganui, and limit the hours of operation. I have grave concerns that, due to COVID, the "retail district is turning into an "adult entertainment district" with stores being replaced by bars (or restaurants with bars). This will have adverse effects on the area and those living in the community with increased alcohol related harm.

**Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

I agree with the proposed changes

**Alcohol Control Bylaw – Other actions or comments**

Yes. We should limit the number of off-licenses at downtown Mount Maunganui which is turning into a "bar" district with retail establishments closing due to COVID. I'd like to also see limits placed on hours of operation so that the area does not become a late night/early morning drinking destination.

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022****Name:****Organisation (if applicable):****Submitter ID:** 6**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

I agree with the proposed change

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

I do not agree with the proposed change

**Local Alcohol Policy – Other actions or comments**

I would like to curtail opening hours to the same as supermarkets or even one hour less. I would like to have as many of the stores as people want so that it increases competition and avoids minting millionaires. I'd rather they struggled to make a dollar. Reducing their hours is far better than assisting the few to windfall profits.

**Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

I agree with the proposed changes

**Alcohol Control Bylaw – Other actions or comments**

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022**

**Name:** Estha Solomon  
**Organisation (if applicable):**  
**Submitter ID:** 7

**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

I agree with the proposed change

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

I agree with the proposed change

**Local Alcohol Policy – Other actions or comments**

Why do they have to sell from 7am, why not 11am to 9pm it's not a good start to the day for the addicted and the kids that suffer from it . And stop alcohol in grocery shops.

**Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

**Alcohol Control Bylaw – Other actions or comments**

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022**

**Name:** Brad Matthews  
**Organisation (if applicable):**  
**Submitter ID:** 8

**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

I agree with the proposed change

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

I agree with the proposed change

**Local Alcohol Policy – Other actions or comments**

More policing, bring in all the laws ya want, but with no police patrolling the area, nothing will change.

**Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

I agree with the proposed changes

**Alcohol Control Bylaw – Other actions or comments**

More active police

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022**

**Name:** Shani McAllister  
**Organisation (if applicable):**  
**Submitter ID:** 9

**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

I do not agree with the proposed change

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

I agree with the proposed change

**Local Alcohol Policy – Other actions or comments****Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

More info regarding this would be helpful.

**Alcohol Control Bylaw – Other actions or comments**

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022****Name:****Organisation (if applicable):****Submitter ID:** 10**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

I agree with the proposed change

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

I agree with the proposed change

**Local Alcohol Policy – Other actions or comments**

Only comment is there are way to many liquor outlets in Te Puke and 2 dollar type shops for the size of out town.

**Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

I do not agree with the proposed changes

**Alcohol Control Bylaw – Other actions or comments**

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022**

**Name:** Ruth Dewdney

**Organisation (if applicable):** Anglican Diocese of Waiapu

**Submitter ID:** 11

**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

I agree with the proposed change

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

I agree with the proposed change

**Local Alcohol Policy – Other actions or comments**

I would like to see the no alcohol area increased in size.... I work and live at the Anglican church which is bordered by the Rose Garden which is a favourite haunt for drinkers. I would like all public council areas in the no alcohol ban . so that would include the council rose gardens which would make it easier for the church to make their grounds alcohol free too

**Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

I agree with the proposed changes

**Alcohol Control Bylaw – Other actions or comments**

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022****Name:****Organisation (if applicable):****Submitter ID:** 12**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

Reduce hours further by changing the trading start hours to be later in the day.

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

I agree with the proposed change

**Local Alcohol Policy – Other actions or comments**

Remove alcohol sales from supermarkets.

**Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

I agree with the proposed changes

**Alcohol Control Bylaw – Other actions or comments**

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022**

**Name:** Erana Monika  
**Organisation (if applicable):**  
**Submitter ID:** 13

**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

I do not agree with the proposed change

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

I agree with the proposed change

**Local Alcohol Policy – Other actions or comments****Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

I do not agree with the proposed changes

**Alcohol Control Bylaw – Other actions or comments**

They will continue to drink whenever regardless unless we reinforce that with police monitoring the township in peak times

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022**

**Name:** Gary Wilson

**Organisation (if applicable):**

**Submitter ID:** 14

**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

I agree with the proposed change

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

I do not agree with the proposed change

**Local Alcohol Policy – Other actions or comments****Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

I agree with the proposed changes

**Alcohol Control Bylaw – Other actions or comments**

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022**

**Name:** Sjaan Rounds  
**Organisation (if applicable):**  
**Submitter ID:** 15

**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

I agree with the proposed change

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

I agree with the proposed change

**Local Alcohol Policy – Other actions or comments****Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

I agree with the proposed changes

**Alcohol Control Bylaw – Other actions or comments**

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022**

**Name:** Andy Wichers

**Organisation (if applicable):**

**Submitter ID:** 16

**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

I agree with the proposed change

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

I agree with the proposed change

**Local Alcohol Policy – Other actions or comments****Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

I agree with the proposed changes

**Alcohol Control Bylaw – Other actions or comments**

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022**

**Name:** Adrienne Reid  
**Organisation (if applicable):**  
**Submitter ID:** 17

**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

I agree with the proposed change

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

I agree with the proposed change

**Local Alcohol Policy – Other actions or comments****Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

I agree with the proposed changes

**Alcohol Control Bylaw – Other actions or comments**

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022**

**Name:** Kimberley O'Dwyer  
**Organisation (if applicable):**  
**Submitter ID:** 18

**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

10-8pm

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

I agree with the proposed change

**Local Alcohol Policy – Other actions or comments**

Make the whole residential area of Te Puke and Maketu as liquor free zones. Not just the central "town" area.

**Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

I agree with the proposed changes

**Alcohol Control Bylaw – Other actions or comments**

Events in public building all require liquor licences to ensure accountability of the organisers.

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022**

**Name:**  
**Organisation (if applicable):**  
**Submitter ID:** 19

**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

I agree with the proposed change

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

I agree with the proposed change

**Local Alcohol Policy – Other actions or comments****Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

I agree with the proposed changes

**Alcohol Control Bylaw – Other actions or comments**

Add a Police Patrol for the carparks at night including those of sports grounds, playgrounds and churches as there are always people drinking in cars and leaving condoms and beer bottles and broken glass lying around.

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022**

**Name:** Patrick Rounds

**Organisation (if applicable):**

**Submitter ID:** 20

**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

I agree with the proposed change

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

I agree with the proposed change

**Local Alcohol Policy – Other actions or comments**

Increase in the policing of the policy

**Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

I agree with the proposed changes

**Alcohol Control Bylaw – Other actions or comments**

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022**

**Name:** Sarah Brown

**Organisation (if applicable):**

**Submitter ID:** 21

**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

I agree with the proposed change

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

I agree with the proposed change

**Local Alcohol Policy – Other actions or comments**

Licence requirements monitored / enforced. If caught breaking these must have follow through on consequences.

**Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

CBD definitely, is there an in between option

**Alcohol Control Bylaw – Other actions or comments**

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022**

**Name:** Ann Jones

**Organisation (if applicable):**

**Submitter ID:** 22

**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

I agree with the proposed change

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

I agree with the proposed change

**Local Alcohol Policy – Other actions or comments****Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

I agree with the proposed changes

**Alcohol Control Bylaw – Other actions or comments**

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022**

**Name:** Roana Bennett  
**Organisation (if applicable):**  
**Submitter ID:** 23

**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

The hours should be reduced further.

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

I agree with the proposed change

**Local Alcohol Policy – Other actions or comments**

Please resource education initiatives that advise of the harm caused by alcohol. These programmes must be relevant to the local population.

**Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

I agree with the proposed changes

**Alcohol Control Bylaw – Other actions or comments**

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022**

**Name:** Laura Wood

**Organisation (if applicable):**

**Submitter ID:** 24

**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

Make access later in the day - 10/11am and end at 9pm.

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

I agree with the proposed change

**Local Alcohol Policy – Other actions or comments**

Extend alcohol free zones to include all public parks, beaches, etc.

**Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

I agree with the proposed changes

**Alcohol Control Bylaw – Other actions or comments**

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022**

**Name:** Zara Pratt

**Organisation (if applicable):**

**Submitter ID:** 25

**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

I agree with the proposed change

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

I agree with the proposed change

**Local Alcohol Policy – Other actions or comments****Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

I agree with the proposed changes

**Alcohol Control Bylaw – Other actions or comments**

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022**

**Name:** KAren Meikle

**Organisation (if applicable):**

**Submitter ID:** 26

**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

I agree with the proposed change

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

I agree with the proposed change

**Local Alcohol Policy – Other actions or comments****Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

I agree with the proposed changes

**Alcohol Control Bylaw – Other actions or comments**

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022****Name:****Organisation (if applicable):****Submitter ID:** 27**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

I agree with the proposed change

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

I agree with the proposed change

**Local Alcohol Policy – Other actions or comments**

While I support the changes I would prefer them to be even tighter. We already have too many outlets. There always seems to be more outlets in lower Socio-economic areas.

**Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

I agree with the expanded cover with the proviso that it does not prevent events with alcohol in Jubilee Park and the War Memorial Hall and other places such as Sport Clubs.

**Alcohol Control Bylaw – Other actions or comments**

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022**

**Name:** Les Pattison

**Organisation (if applicable):**

**Submitter ID:** 28

**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

I do not agree with the proposed change

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

I do not agree with the proposed change

**Local Alcohol Policy – Other actions or comments**

Because of a few who abuse alcohol the majority have to have further restrictions put on them. This not right.

**Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

I agree with the proposed changes

**Alcohol Control Bylaw – Other actions or comments**

Consumption of alcohol should be permitted in private homes clubs, restaurants and pubs.

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022**

**Name:** Vicki Stacey

**Organisation (if applicable):**

**Submitter ID:** 29

**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

I do not agree with the proposed change

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

I agree with the proposed change

**Local Alcohol Policy – Other actions or comments****Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

I do not agree with the proposed changes

**Alcohol Control Bylaw – Other actions or comments**

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022**

**Name:** Andrew West

**Organisation (if applicable):**

**Submitter ID:** 30

**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

I agree with the proposed change

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

I agree with the proposed change

**Local Alcohol Policy – Other actions or comments**

Would also like to see no further bottle stores in Omokoroa

**Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

I agree with the proposed changes

**Alcohol Control Bylaw – Other actions or comments**

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022**

**Name:** Vanessa Koster  
**Organisation (if applicable):**  
**Submitter ID:** 31

**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

I agree with the proposed change

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

**Local Alcohol Policy – Other actions or comments**

Clear signage with recommended daily alcohol consumption for men and women. Information on how many drinks before you're over the limit for driving; health risks from drinking; foetal alcohol syndrome risks. But these all have to be visible and confronting, or there's no point.

**Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

**Alcohol Control Bylaw – Other actions or comments**

Low alcohol content drinks should be the most visible

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022**

**Name:** Bryan Sellers

**Organisation (if applicable):**

**Submitter ID:** 32

**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

I agree with the proposed change

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

I agree with the proposed change

**Local Alcohol Policy – Other actions or comments****Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

I agree with the proposed changes

**Alcohol Control Bylaw – Other actions or comments**

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022**

**Name:** Renee Davies

**Organisation (if applicable):**

**Submitter ID:** 33

**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

I agree with the proposed change

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

I do not agree with the proposed change

**Local Alcohol Policy – Other actions or comments****Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

I agree with the proposed changes

**Alcohol Control Bylaw – Other actions or comments**

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022****Name:****Organisation (if applicable):****Submitter ID:** 34**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

I agree with the proposed change

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

I do not agree with the proposed change

**Local Alcohol Policy – Other actions or comments**

All liquor outlets should be closed by 19:00

**Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

**Alcohol Control Bylaw – Other actions or comments**

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022**

**Name:** Simon Smart

**Organisation (if applicable):**

**Submitter ID:** 35

**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

I agree with the proposed change

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

I agree with the proposed change

**Local Alcohol Policy – Other actions or comments**

cemeteries should be alcohol free zones as a mark of respect to stop the problem of people urinating on the grounds which is disgusting.

**Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

I agree with the proposed changes

**Alcohol Control Bylaw – Other actions or comments**

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022**

**Name:** Piet Senf

**Organisation (if applicable):**

**Submitter ID:** 36

**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

I do not agree with the proposed change

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

Live in different area, 30 kms away from Te Puke – Maketu

**Local Alcohol Policy – Other actions or comments**

Educate consumers!!!!

**Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

Don't live in that area.

**Alcohol Control Bylaw – Other actions or comments**

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022**

**Name:** Philip Williams  
**Organisation (if applicable):**  
**Submitter ID:** 37

**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

9am – 8.30pm

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

I agree with the proposed change

**Local Alcohol Policy – Other actions or comments**

No off-licence liquor sales within 1km of schools, current licenses should be gradually withdrawn.

**Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

I agree with the proposed changes

**Alcohol Control Bylaw – Other actions or comments**

Harsher penalty for those breaching the sale of liquor act when it comes to minors.

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022**

**Name:** Karen Sellers

**Organisation (if applicable):**

**Submitter ID:** 38

**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

I agree with the proposed change

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

I agree with the proposed change

**Local Alcohol Policy – Other actions or comments****Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

I agree with the proposed changes

**Alcohol Control Bylaw – Other actions or comments**

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022**

**Name:** Karen Cribb  
**Organisation (if applicable):**  
**Submitter ID:** 39

**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

I do not agree with the proposed change

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

I do not agree with the proposed change

**Local Alcohol Policy – Other actions or comments**

Make liquor licenses and bar manager licenses easier to attain

**Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

I do not agree with the proposed changes

**Alcohol Control Bylaw – Other actions or comments**

Families should be able to go to parks or beaches with their picnics with alcohol to enjoy.

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022**

**Name:** Margaret Paton  
**Organisation (if applicable):**  
**Submitter ID:** 40

**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

I do not agree with the proposed change

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

I do not agree with the proposed change

**Local Alcohol Policy – Other actions or comments**

Why change at all? I'm a teetotal person it wont affect me, but come on by changing rules it is another step in turning NZ into a communistic state, stop all this red tape draconian mandate stuff.

**Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

I do not agree with the proposed changes

**Alcohol Control Bylaw – Other actions or comments**

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022****Name:****Organisation (if applicable):****Submitter ID:** 41**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

I agree with the proposed change

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

I agree with the proposed change

**Local Alcohol Policy – Other actions or comments****Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

I agree with the proposed changes

**Alcohol Control Bylaw – Other actions or comments**

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022**

**Name:** Pamela van Rij  
**Organisation (if applicable):**  
**Submitter ID:** 42

**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

I think 8am until 8pm would be preferential

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

I agree with the proposed change

**Local Alcohol Policy – Other actions or comments****Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

I agree with the proposed changes

**Alcohol Control Bylaw – Other actions or comments**

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022**

**Name:** Neil Thomson

**Organisation (if applicable):**

**Submitter ID:** 43

**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

I agree with the proposed change

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

I agree with the proposed change

**Local Alcohol Policy – Other actions or comments****Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

I agree with the proposed changes

**Alcohol Control Bylaw – Other actions or comments**

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022**

**Name:** Jesse Negretti  
**Organisation (if applicable):**  
**Submitter ID:** 44

**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

I agree with the proposed change

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

I do not agree with the proposed change

**Local Alcohol Policy – Other actions or comments**

Education and providing viable career paths will do more to prevent abuse of alcohol and alcohol related crime than putting in more restriction around purchase of alcohol.

**Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

I agree with the proposed changes

**Alcohol Control Bylaw – Other actions or comments**

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022**

**Name:** Olivia Hopkins  
**Organisation (if applicable):**  
**Submitter ID:** 45

**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

I do not agree with the proposed change

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

I agree with the proposed change

**Local Alcohol Policy – Other actions or comments****Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

I agree with the proposed changes

**Alcohol Control Bylaw – Other actions or comments**

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022**

**Name:** Harley North  
**Organisation (if applicable):**  
**Submitter ID:** 46

**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

I agree with the proposed change

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

I agree with the proposed change

**Local Alcohol Policy – Other actions or comments****Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

I agree with the proposed changes

**Alcohol Control Bylaw – Other actions or comments**

24/7 alcohol ban in all public places. Alcohol to be consumed on private premises or on-licence and special licence venues only.

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022****Name:****Organisation (if applicable):****Submitter ID:** 47**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

I agree with the proposed change

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

I agree with the proposed change

**Local Alcohol Policy – Other actions or comments****Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

I agree with the proposed changes

**Alcohol Control Bylaw – Other actions or comments**

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022****Name:****Organisation (if applicable):****Submitter ID:** 48**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

I agree with the proposed change

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

I agree with the proposed change

**Local Alcohol Policy – Other actions or comments****Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

I agree with the proposed changes

**Alcohol Control Bylaw – Other actions or comments**

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022****Name:****Organisation (if applicable):****Submitter ID:** 49**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

I agree with the proposed change

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

I agree with the proposed change

**Local Alcohol Policy – Other actions or comments****Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

I agree with the proposed changes

**Alcohol Control Bylaw – Other actions or comments**

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022**

**Name:** Gina Tapper

**Organisation (if applicable):**

**Submitter ID:** 50

**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

I agree with the proposed change

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

I agree with the proposed change

**Local Alcohol Policy – Other actions or comments**

No ubereats alcohol delivery

**Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

I agree with the proposed changes

**Alcohol Control Bylaw – Other actions or comments**

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022**

**Name:** Kate Sutherland  
**Organisation (if applicable):**  
**Submitter ID:** 51

**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

I agree with the proposed change

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

I agree with the proposed change

**Local Alcohol Policy – Other actions or comments**

No new alcohol outlets in Katikati.

**Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

I agree with the proposed changes

**Alcohol Control Bylaw – Other actions or comments**

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022**

**Name:** Ian Schultz

**Organisation (if applicable):**

**Submitter ID:** 52

**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

I agree with the proposed change

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

I agree with the proposed change

**Local Alcohol Policy – Other actions or comments**

Remove pokies from pubs and clubs too

**Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

I agree with the proposed changes

**Alcohol Control Bylaw – Other actions or comments**

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022**

**Name:** Marilyn Hunt  
**Organisation (if applicable):**  
**Submitter ID:** 53

**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

I agree with the proposed change

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

I agree with the proposed change

**Local Alcohol Policy – Other actions or comments****Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

I agree with the proposed changes

**Alcohol Control Bylaw – Other actions or comments**

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022****Name:****Organisation (if applicable):****Submitter ID:** 54**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

I agree with the proposed change

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

I agree with the proposed change

**Local Alcohol Policy – Other actions or comments****Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

I agree with the proposed changes

**Alcohol Control Bylaw – Other actions or comments**

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022**

**Name:** Joseph Ottesen  
**Organisation (if applicable):**  
**Submitter ID:** 55

**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

I do not agree with the proposed change

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

I agree with the proposed change

**Local Alcohol Policy – Other actions or comments**

policing of liquor free zones and penalties

**Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

I agree with the proposed changes

**Alcohol Control Bylaw – Other actions or comments**

harsher penalties for infringement

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022**

**Name:** Brendan Smith  
**Organisation (if applicable):**  
**Submitter ID:** 56

**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

I agree with the proposed change

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

I agree with the proposed change

**Local Alcohol Policy – Other actions or comments****Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

I agree with the proposed changes

**Alcohol Control Bylaw – Other actions or comments**

I agree with item 4, but also think it's a complete waste of time as the policy will not be policed.

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022**

**Name:** Gareth Mouat  
**Organisation (if applicable):**  
**Submitter ID:** 57

**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

I do not agree with the proposed change

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

I do not agree with the proposed change

**Local Alcohol Policy – Other actions or comments****Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

I do not agree with the proposed changes

**Alcohol Control Bylaw – Other actions or comments**

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022**

**Name:** Tasha Keill

**Organisation (if applicable):**

**Submitter ID:** 58

**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

I do not agree with the proposed change

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

I do not agree with the proposed change

**Local Alcohol Policy – Other actions or comments****Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

I do not agree with the proposed changes

**Alcohol Control Bylaw – Other actions or comments**

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022****Name:****Organisation (if applicable):****Submitter ID:** 59**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

I agree with the proposed change

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

I agree with the proposed change

**Local Alcohol Policy – Other actions or comments****Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

I do not agree with the proposed changes

**Alcohol Control Bylaw – Other actions or comments**

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022**

**Name:** Helen Parker

**Organisation (if applicable):**

**Submitter ID:** 60

**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

I agree with the proposed change

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

I agree with the proposed change

**Local Alcohol Policy – Other actions or comments**

Not sure how supermarkets will cope with this change. Have you talked to them about how it will affect their staff

**Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

Perhaps just the public area. All urban seems a bit invasive

**Alcohol Control Bylaw – Other actions or comments**

Alcohol consumption is driven by more than availability. Our culture fosters binge drinking and it is legal, raising the age, providing youth with alternatives that will help to break the cycle.

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022**

**Name:** Kevin Barugh  
**Organisation (if applicable):**  
**Submitter ID:** 61

**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

I agree with the proposed change

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

I agree with the proposed change

**Local Alcohol Policy – Other actions or comments****Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

I agree with the proposed changes

**Alcohol Control Bylaw – Other actions or comments**

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022**

**Name:** Susan Ludbrook  
**Organisation (if applicable):**  
**Submitter ID:** 62

**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

I agree with the proposed change

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

I agree with the proposed change

**Local Alcohol Policy – Other actions or comments****Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

I agree with the proposed changes

**Alcohol Control Bylaw – Other actions or comments**

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022**

**Name:** Arrison Kirsten  
**Organisation (if applicable):**  
**Submitter ID:** 63

**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

I agree with the proposed change

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

I agree with the proposed change

**Local Alcohol Policy – Other actions or comments****Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

I agree with the proposed changes

**Alcohol Control Bylaw – Other actions or comments****What else can Council do to reduce alcohol related harm and create safer communities?**

Energy drinks should have an age limit just like alcohol, high sugar and caffeine drinks on teenagers is the first exposure to a legal addictive drug.

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022**

**Name:** David Burns

**Organisation (if applicable):**

**Submitter ID:** 64

**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

The time should be 5pm to 7pm only

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

No more shops

**Local Alcohol Policy – Other actions or comments**

Cut the number of shops down

**Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

I do not agree with the proposed changes

**Alcohol Control Bylaw – Other actions or comments**

Just have all alcohol at the supermarkets

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022**



**Name:**  
**Organisation (if applicable):**  
**Submitter ID:** 65

**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

I agree with the proposed change

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

I agree with the proposed change

**Local Alcohol Policy – Other actions or comments**

**Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

I agree with the proposed changes

**Alcohol Control Bylaw – Other actions or comments**

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022****Name:****Organisation (if applicable):****Submitter ID:** 66**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

I do not agree with the proposed change

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

It is not my "Ward" for which to have an opinion. This should be decided by the Te Puke-Maketu Ward residents.

**Local Alcohol Policy – Other actions or comments**

Please consider that Paengaroa, being part of the Te Puke-Maketu Ward; is flagged as a future growth area for the Bay of Plenty before putting certain policies into action.

**Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

It is not my "ward" for which to have an opinion

**Alcohol Control Bylaw – Other actions or comments**

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022**

**Name:** Brett Whitten

**Organisation (if applicable):**

**Submitter ID:** 67

**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

I agree with the proposed change

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

I agree with the proposed change

**Local Alcohol Policy – Other actions or comments****Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

I agree with the proposed changes

**Alcohol Control Bylaw – Other actions or comments**

## Have Your Say

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**From:**  
**Sent:** Thursday, 2 December 2021 11:05 am  
**To:** Have Your Say  
**Subject:** WBOP Draft Alcohol Plan- submission

I, Rachel Ryan of Te Puke, a secondary teacher at Te Puke High School and a Within School Teacher of the Te Puke community of learners known as the Kahui Ako fully support the WBOP draft proposal to:

- Reduce by one hour when alcohol can be sold at alcohol stores (off-licences includes – grocery stores and supermarkets) to stop selling alcohol at 9pm (not 10pm) across the Western Bay of Plenty
- That there be a cap on the number of bottle stores across the Te Puke-Maketu ward- no more as more than enough exist now. No more alcohol licenses should be allowed.

Furthermore I also support a bylaw change:

- That the public alcohol ban zone (Alcohol Control Area) should extend to the whole of Te Puke, not just town centre.

As high school teachers in the Te Puke community we regularly see the impacts of alcohol in the lives of our young people and in our community. We see it in the narratives of their lives, in the intergenerational impacts, in the young people coming in with FASD, in their stories of binge drinking, in the car crashes caused by alcohol and in the harms caused to relationships.

As the years go by we have watched a number of new alcohol outlets arrive in the township and the growth of bottle shop chain stores and independent retailers, some operating within several metres of each other at the lower end Jellicoe Road. Many Te Puke high school students walk to school from the east side of Te Puke to the west where the high school is situated. The east side of Te Puke is a 9 on the social deprivation scale and the west side is a 9, both close to the highest score of 10.

As a teacher of 20 years at Te Puke High School, I have known many instances of students or ex students, or family members of students being impacted by alcohol harm. These include, injuries and deaths caused by car crashes, addiction of either students family members or increasingly adolescents addicted to alcohol, child neglect and abuse, crime; violence; sexual risk taking; mental health problems and victimisation, financial hardship, food insecurity, family violence and other drug addictions.

I believe that the proliferation of liquor outlets and specifically bottle shops is a causal factor to the increasing inequality in New Zealand. This is due to more liquor outlets established in lower income areas than in higher income areas.

The low socio economic areas in New Zealand generally are the ones saturated with alcohol outlets and are the communities asking for changes to the liquor licensing act. Areas like South Auckland, Rotorua and Te Puke. Like these other areas of social deprivation, - the township of Te Puke has experienced a rising number of liquor outlets over the past ten years and we now have 22 licensed premises for a small population of around 8,000 people. In comparison, 3 areas with a similar population in total, Waihi Beach, Katikati and Bowentown only have 14. This is clear evidence of higher socio-economic areas having less liquor outlets and lower income communities being targeted by alcohol outlets. We have allowed liquor outlets too much power- to dominate low socio-economic communities.

Nicki Jackson of Alcohol Healthwatch says alcohol is the most harmful drug we have and that the proliferation of alcohol outlets in the environment sends a pro-alcohol signal that it is very cheap, highly available, highly desirable and thus normalised as 'the thing we do regularly'. As teachers we see this normalisation of binge drinking often.

With many Te Puke high school students now working in the kiwifruit industry, either on the weekends, nights during term time, during the busy Autumn season - many have cash to spend for the first time in their lives and some will spend their money on alcohol. This makes the easy availability of cheap alcohol until 10pm in the evening a real problem for them as it leads to other harms.

In New Zealand, huge societal pressure exists on young people to drink to excess through the influence of either friends, peer group, family and social media. Alcohol use is considered a 'rite of passage' in New Zealand society however unlike other cultures, our drinking culture incorporates regular use of alcohol, drinking to excess, binge drinking, disordered drinking and it is estimated that 20% of adult drinkers in NZ drink in a hazardous manner (likely to lead to personal and social harms).

Te Puke has a high Māori population and a high Māori youth population which is indeed growing as more people are attracted to the Te Puke area because of job opportunities and family connections. Alcohol has negatively impacted Māori since colonisation.

It is obvious to me that alcohol stores are using classic marketing ploys to get consumers into their shops; bright posters advertising liquor sales and 'special deals' and the use of bright attractive colors of red and orange as dominant colours, all visual distractions to drivers going past along the main road of Te Puke and the high volume of foot traffic. High school students walking to school through the town centre have to pass 7 bottle stores/pubs/supermarkets.

In an area with high rates of domestic and relationship violence, the availability of so many liquor outlets selling cheap alcohol is hugely problematic and in itself a contributing factor to the rising levels of domestic violence and relationship violence in New Zealand. The Police Commissioner calls domestic violence their biggest problem that they do the most call outs to. Over the Christmas, holiday and summer period, drinking increases as do the rates of domestic violence.

Therefore too many liquor stores that we have in the Te Puke area do not benefit the community, in fact they contribute directly to many social harms, financially contributing to poverty, relationship difficulties, involvement in crime, and the loss of driver's license, homelessness in Te Puke town, rough sleepers drinking in town etc.

On the basis of community deprivation any further licence applications should be declined on that basis. Te Puke is a vulnerable community and we have no addiction-related harm organisations in this area, the closest being either Tauranga or Rotorua.

Yours Sincerely

**Rachel/Rāhera (Ray) Ryan**

NRYN Small Group Leader  
Health and Hauora Committee  
Assistant Leader Of Learning  
English Department  
Kahui Ako W.I.S.T  
PPTA womens' rep TPHS  
Ngata House  
Te Puke High School

*'Ahakoa he iti, he pounamu'.*

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022**

**Name:** rachel ryan

**Organisation (if applicable):**

**Submitter ID:** 68

**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

I agree with the proposed change

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

I agree with the proposed change

**Local Alcohol Policy – Other actions or comments**

i would like to see an extension of the ban on drinking in public extended to the entire Te Puke township- in order to reduce the negatives and social harms of public drinking.

**Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

I agree with the proposed changes

**Alcohol Control Bylaw – Other actions or comments**

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022**

**Name:** Jeremy Ball

**Organisation (if applicable):** Te Puke High School

**Submitter ID:** 69

**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

I agree with the proposed change

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

I agree with the proposed change

**Local Alcohol Policy – Other actions or comments****Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

I agree with the proposed changes

**Alcohol Control Bylaw – Other actions or comments**

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022**

**Name:** Jo Melton

**Organisation (if applicable):** Te Puke High

**Submitter ID:** 70

**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

I agree with the proposed change

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

I agree with the proposed change

**Local Alcohol Policy – Other actions or comments****Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

**Alcohol Control Bylaw – Other actions or comments**

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022****Name:****Organisation (if applicable):****Submitter ID:** 71**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

They shouldn't be open until 10am who needs alcohol before then and 8pm closed

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

I agree with the proposed change

**Local Alcohol Policy – Other actions or comments****Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

I agree with the proposed changes

**Alcohol Control Bylaw – Other actions or comments**

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022**

**Name:** S Cole  
**Organisation (if applicable):**  
**Submitter ID:** 72

**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

I agree with the proposed change

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

I agree with the proposed change

**Local Alcohol Policy – Other actions or comments**

Anything we can do in our communities to reduce alcohol related harm will help those whose lives are blighted by alcohol related harm.

**Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

I agree with the proposed changes

**Alcohol Control Bylaw – Other actions or comments**

This is a great start if it were passed by council. Also adding to budget for a high number of appropriate street signs in the Alcohol Control Area to reinforce the message.

In dual language and picture form.

It may take a long time for those who abuse alcohol to accept change but I believe it will be worth it long term.

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022**

**Name:** Alf Rose

**Organisation (if applicable):**

**Submitter ID:** 73

**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

I agree with the proposed change

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

I agree with the proposed change

**Local Alcohol Policy – Other actions or comments**

The sale of alcohol should be removed from supermarkets where it is on display to the public.

**Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

I agree with the proposed changes

**Alcohol Control Bylaw – Other actions or comments**

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022**

**Name:** Jasmine Haami  
**Organisation (if applicable):**  
**Submitter ID:** 74

**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

I agree with the proposed change

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

I agree with the proposed change

**Local Alcohol Policy – Other actions or comments****Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

I agree with the proposed changes

**Alcohol Control Bylaw – Other actions or comments**

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022**

**Name:** Leigh Bartosh

**Organisation (if applicable):** Te Puku Ltd T/A Anann the Pineapple Pub

**Submitter ID:** 75

**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

I believe that 7am is too early. That time should be lifted up to 9am.

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

I agree with the proposed change

**Local Alcohol Policy – Other actions or comments**

Price point is the biggest discouragement for purchasing alcohol. The more expensive the less likely to purchase. I think that the 500ml high strength cans (Haagen, Kingfisher and Carlsberg) price should be lifted to be in line with craft beer of the same volume. I have spoken before about a public register of known alcohol offenders and those that are supplying them. Having a database and a line of communication between all license holders could go a long way towards solving the problem. Those caught supplying known offenders should face prosecution or fines to discourage the practice.

**Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

I agree with the proposed changes

**Alcohol Control Bylaw – Other actions or comments**

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022****Name:****Organisation (if applicable):****Submitter ID:** 76**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

I do not agree with the proposed change

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

I do not agree with the proposed change

**Local Alcohol Policy – Other actions or comments****Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

I agree with the proposed changes

**Alcohol Control Bylaw – Other actions or comments**

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022**

**Name:** Melanie Gearon  
**Organisation (if applicable):**  
**Submitter ID:** 77

**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

Does it need to be so early? Keep the 10pm but start later i.e. 9am – 10pm?

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

I agree with the proposed change

**Local Alcohol Policy – Other actions or comments****Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

I agree with the proposed changes

**Alcohol Control Bylaw – Other actions or comments**

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022****Name:****Organisation (if applicable):****Submitter ID:** 78**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

I agree with the proposed change

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

I agree with the proposed change

**Local Alcohol Policy – Other actions or comments**

Restrictions around establishing alcohol stores near schools. Restrictions around the density of alcohol stores ie limits to how many in one area

**Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

I do not agree with the proposed changes

**Alcohol Control Bylaw – Other actions or comments**

Better policing of the current alcohol control areas

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022**

**Name:** Shirley Wells  
**Organisation (if applicable):**  
**Submitter ID:** 79

**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

I agree with the proposed change

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

I agree with the proposed change

**Local Alcohol Policy – Other actions or comments**

Remove all street frontage advertising. Stop selling alcohol in supermarkets dairy's etc  
Revoke licenses of premises close to schools and those floating the law

**Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

I agree with the proposed changes

**Alcohol Control Bylaw – Other actions or comments**

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022**

**Name:** Melanie Rundell  
**Organisation (if applicable):**  
**Submitter ID:** 80

**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

I agree with the proposed change

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

I agree with the proposed change

**Local Alcohol Policy – Other actions or comments****Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

I agree with the proposed changes

**Alcohol Control Bylaw – Other actions or comments**

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022****Name:****Organisation (if applicable):****Submitter ID:** 81**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

I agree with the proposed change

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

I agree with the proposed change

**Local Alcohol Policy – Other actions or comments**

No more liquor outlets in Katikati

**Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

I agree with the proposed changes

**Alcohol Control Bylaw – Other actions or comments**

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022**

**Name:** Chris Duncan

**Organisation (if applicable):**

**Submitter ID:** 82

**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

I agree with the proposed change

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

Not familiar with this area

**Local Alcohol Policy – Other actions or comments****Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

Do Not Know area

**Alcohol Control Bylaw – Other actions or comments**

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022**

**Name:** Lindsay Garneau  
**Organisation (if applicable):**  
**Submitter ID:** 83

**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

I do not agree with the proposed change

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

I do not agree with the proposed change

**Local Alcohol Policy – Other actions or comments****Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

I do not agree with the proposed changes

**Alcohol Control Bylaw – Other actions or comments**

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022**

**Name:** Artorier Wallace  
**Organisation (if applicable):**  
**Submitter ID:** 84

**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

I do not agree with the proposed change

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

I agree with the proposed change

**Local Alcohol Policy – Other actions or comments****Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

I agree with the proposed changes

**Alcohol Control Bylaw – Other actions or comments**

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022**

**Name:** Matt Glenn

**Organisation (if applicable):**

**Submitter ID:** 85

**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

I do not agree with the proposed change

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

I do not agree with the proposed change

**Local Alcohol Policy – Other actions or comments****Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

I do not agree with the proposed changes

**Alcohol Control Bylaw – Other actions or comments**

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022**

**Name:** Michelle Malcolm  
**Organisation (if applicable):**  
**Submitter ID:** 86

**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

I agree with the proposed change

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

I agree with the proposed change

**Local Alcohol Policy – Other actions or comments****Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

I agree with the proposed changes

**Alcohol Control Bylaw – Other actions or comments**

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022**

**Name:** Slow Fish

**Organisation (if applicable):**

**Submitter ID:** 87

**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

Much shorter 11am to 7pm

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

Need to be reduced

**Local Alcohol Policy – Other actions or comments****Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

I agree with the proposed changes

**Alcohol Control Bylaw – Other actions or comments**

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022****Name:****Organisation (if applicable):****Submitter ID:** 88**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

I agree with the proposed change

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

I agree with the proposed change

**Local Alcohol Policy – Other actions or comments****Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

I agree with the proposed changes

**Alcohol Control Bylaw – Other actions or comments**

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022**

**Name:** Adele Alexander  
**Organisation (if applicable):**  
**Submitter ID:** 89

**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

No one should be able to buy alcohol at 7am in the morning. I believe the hours of selling or people being able to buy alcohol should be 10am–9pm.

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

I agree with the proposed change

**Local Alcohol Policy – Other actions or comments**

Being able to buy alcohol at 7am is worrying. No one should be able to buy alcohol till at least 10am. If alcohol is being sold at the supermarket then for that period they will have to cover/lock up that section of their stock. Alcohol outlets should only be allowed to be open at 10am.

If supermarkets want to continue to sell alcohol – maybe they should be looking at a separate adjoining shop that just sells alcohol and is open during the times of the new bylaw (this is what they have in Australia and it works well).

**Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

I agree with the proposed changes

**Alcohol Control Bylaw – Other actions or comments**

I see adults and some are young adults (not sure if they are of the legal age) walking the main streets drinking alcohol from cans/bottles all times of the day – however what concerns me is that sometimes this is at 9am as they have been able to purchase it that earlier. The hours of being able to buy alcohol should be reduced – and the opening times of being able to buy alcohol should be pushed out to 10am.

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022****Name:****Organisation (if applicable):****Submitter ID:** 90**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

I agree with the proposed change

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

There should be a sinking lid policy, with stores that flout rules closed down, less stores better

**Local Alcohol Policy – Other actions or comments**

To many stores in te puke 2 super markets and 2 off licence is plenty

**Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

I agree with the proposed changes

**Alcohol Control Bylaw – Other actions or comments**

Set up a local charitable trust, set special local rate on stores, on percentage of alcohol and volume sold, to fund trust for harm prevention and education.

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022**

**Name:** Jasleen Kaur

**Organisation (if applicable):**

**Submitter ID:** 91

**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

I agree with the proposed change

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

I agree with the proposed change

**Local Alcohol Policy – Other actions or comments****Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

I agree with the proposed changes

**Alcohol Control Bylaw – Other actions or comments**

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022**

**Name:** Mel Bennett

**Organisation (if applicable):** Ngāi Te Rangi Iwi

**Submitter ID:** 92

**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

I agree with the proposed change

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

I agree with the proposed change

**Local Alcohol Policy – Other actions or comments**

Submission on the Draft Local Alcohol Policy

Western Bay of Plenty District Council

Submitter: Te Runanga O Ngai Te Rangi Iwi Trust (TRONIT)

We would like to speak to our submission on 14 December 2021

1. TRONIT acknowledges the commitment of WBOPDC to address the issues that are contributing to alcohol-related harm in the District. TRONIT was consulted prior to the adoption of the draft Local Alcohol Policy (LAP), and again at a subsequent meeting following the release of the draft Policy for consultation. In the course of those discussions, we traversed both regulatory and non-regulatory approaches that would give Iwi/Maori a stronger voice in decision-making. Virtually every Council committee now has Iwi/Maori representation, but not the District Licencing Committee. This would address the current situation where Iwi/Maori are treated as submitters/objectors. It is a deep concern that submitters/objectors operate in a deficit situation where they are put in the position of having to offer evidence of how 'bad' things are and how much 'worse' they will become. This is particularly true for Maori for whom the hearings process can be seen as degrading and humiliating. And this is especially so if/when the response is mute and/or ineffectual, or worse, ignored. The issue of notifications is also relevant as the statutory requirements for an applicant are minimal. While agencies with a particular focus on alcohol issues may have the capacity to monitor the Council website, it is our experience that notifications are easily missed by communities of interest.

1.1 TRONIT recommends that Council creates a permanent seat or seats for Iwi/Maori on the DLC through the proper channels and in accordance with the governing legislation. This would enable Iwi/Maori to have direct input into decision-making across all aspects of licensing undertaken by the DLC.

1.2 TRONIT recommends that the DLC take steps to make the hearings process more amenable to community and cultural sensitivities in terms of (for example) cultural protocols, meetings processes, locations and times of hearings.

1.3 TRONIT recommends that Council implements a comprehensive notification process that actively informs and engages with local communities on licensing matters.

2. In support of the proposed and recommended changes in this submission, there is great encouragement in the 24 September 2021 judgement of the Court of Appeal in the Auckland Council appeal that endorses the role of the Local Alcohol Policy as a mechanism for achieving the objectives of the Act, and in particular in addressing the reduction of alcohol-related harm in the community. Auckland Council is to be commended for pursuing this through the Courts.

Key findings in the Court of Appeal judgement:

1. There is no antecedent right to sell alcohol and no presumption in favour of the status quo;
2. Local Authorities do not need to create policies for discrete subdivisions/areas but are entitled to create general policies for their entire jurisdiction;
3. LAPs are intended as a method of communities implementing their own policies on alcohol-related matters;
4. The communities' policies need not be evidence-based only reasonable in light of the object of the Act;
5. LAPs are entitled to take a precautionary approach, i.e. "harm reduction measures need not await proof but may be tested by imposing restrictions."
6. There is no onus on Authorities to justify departure from the national default hours;
7. Both New Zealand and international research are valid bases for implementing policies;
8. Supermarkets are part of the problem.

Now there is a 'window of opportunity' and every Council should feel emboldened to use their Local Alcohol Policy to address the serious inequities and harm associated with the sale and supply of alcohol.

It is in this positive and proactive spirit that TRONIT supports the following key changes proposed in the draft LAP with recommendations to enhance the intent of those changes:

3. 5.1.1 Maximum licensed hours

- Maximum licensed hours for off-licences shall be 7am to 9pm.

3.1 TRONIT supports the 9pm closing time for all off-licences.

In assessing the Auckland appeal, ARLA and the Court of Appeal did not find the closing hour restriction of 9pm to be unreasonable. The Court of Appeal found there is sufficient evidence to support the view that reducing the hours to 9.00pm for all liquor outlets will potentially be beneficial in reducing alcohol-related harm and that Council has the right to implement/test it. We understand that this provision is unlikely to be appealed.

3.2 TRONIT recommends that the opening hours commence at 9am as a discretionary condition taking into account the location of the premises with

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022**



respect to educational facilities and other sensitive sites. Where these considerations are not relevant, then the default of 7am would be accepted.

Adjusting the opening hours to 9am reduces the exposure of children and young people to on-the-street direct alcohol marketing during the period that they are going to school. It also reduces the likelihood that they will encounter intoxicated persons loitering on the streets and in bus stops who have already made early morning purchases. It is unlikely that this will have a negative impact on retailers. Afternoon closing should also be considered where appropriate. Mechanisms for addressing this are through conditions that are discussed in (4.) below.

3.3 TRONIT recommends separating out the opening and closing hours within the LAP so that each element can then be dealt with separately on appeal (if any).

**4 Compulsory and discretionary conditions**

The Court of Appeal accepted as reasonable the imposition of specified condition for off-licences and that those conditions could be compulsory unless there was a good reason not to do so.

Auckland Council Provisional LAP, 4.4.1. Pursuant to section 77(1)(f) of the Act, the Council's policy position is that when issuing or renewing off-licences in the Auckland region, the DLC and ARLA should include the following conditions unless there is a good reason not to do so.

The legislative mandate to impose conditions are sections 116 and 117 of the Act.

Section 116 sets out the discretionary and compulsory conditions established under the Act.

Section 117 (1) The licensing authority or licensing committee concerned may issue any licence subject to any reasonable conditions not inconsistent with this Act.

The following recommendations could be imposed as noted above, or discretionary, or as undertakings.

4.1 TRONIT recommends that WBOPDC introduce the following conditions (s116) (1) in the issuing or renewing of off-licences (as set out in the Act):

- Ensure that no intoxicated persons are allowed to enter or to remain on the premises; and
- Ensure that signs are prominently displayed detailing the statutory restrictions on the sale of alcohol to minors and intoxicated persons adjacent to every point of sale.
- in the case of premises where (in the opinion of the authority or committee) the principal business carried on is not the manufacture or sale of alcohol, conditions relating to the kind or kinds of alcohol that may be sold or delivered on or from the premises.

4.2 TRONIT recommends:

- The licensee must maintain a register of material alcohol-related incidents, noting the date, time and details of each incident, and the steps taken by the licensee in response to the incident.
- For the purposes of this condition, the term "material alcohol-related incidents" includes, but is not limited to the following situations:
  - o a customer or staff member is injured or seriously threatened; or

- o fighting occurs on the premises; or
  - o an external agency such as the Police, Māori Wardens or emergency services has been contacted; or
  - o a customer has been forcibly evicted and/or banned from the premises; or
  - o property is willfully damaged by a customer;
  - o customers are found to be involved in any illegal activities on the premises
  - o where the excessive or inappropriate consumption of alcohol has been a contributing factor.
- The register of incidents must be available for inspection by the Police and Licensing Inspectors at any time that the premises is open to the public.
  - The incident should be recorded in the incident register within 12 hours of the incident occurring.

4.3 TRONIT recommends that the DLC should consider imposing conditions relating to the following matters

- Conditions relating to CCTV
- Conditions relating to exterior lighting
- Conditions relating to single sales
- Conditions relating to morning and afternoon closing of premises near education facilities and other sensitive sites.

These conditions are enabled by s116 (3) In deciding the conditions under subsection (2)(a) subject to which a licence is to be issued, the licensing authority or licensing committee concerned may have regard to the site of the premises in relation to neighbouring land use.

This condition may also be considered with respect to education facilities and other sensitive sites if there is support for the condition from the community. The Court of Appeal accepted that communities may implement their own policies on alcohol-related matters. Toi Te Ora Public Health Issues of Health and Wellbeing Population Survey 2020 report: Over 60% of respondents said they support reducing the number of places that can sell alcohol; When asked about a range of times when bottle stores and supermarkets should be allowed to start selling alcohol the most common response was 10am with nearly three quarters (71.4%) of respondents stating this option. Nearly one in five (18.8%) thought that it was suitable for bottle stores and supermarkets to start selling alcohol before 10am.

4.4 TRONIT strongly recommends that the LAP be extended to incorporate remote sales and deliveries. Any holder of an off-licence can sell alcohol remotely via the internet, telephone, or by mail order. There is no requirement that the intention to sell remotely be disclosed at the time of licensing and therefore the opportunity to have licence conditions relating to such activity may be missed. During the recent COVID-19 lockdown, many off-licensed premises that had never considered selling remotely, began to engage in this process – with almost no controls to ensure that harm was minimised .

TRONIT recommends as part of the licensing process, all off-licences (new and renewal) should have appropriate conditions attached concerning remote sales/deliveries. Conditions for off-licences are specifically covered under Sections 116 and 117 of the Act: Particular discretionary conditions, and other compulsory conditions: off-licences.

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S116 (2) The licensing authority or licensing committee concerned must ensure that every off-licence it issues is issued subject to conditions—

(a) stating the days on which and the hours during which alcohol may be sold or delivered

It is an offence to sell or supply alcohol to an intoxicated person. However the Act is silent on how this can be assessed for a remote sale. The only practical mechanism is for intoxication assessments to be carried out at the point of delivery. TRONIT recommends that as part of the off-licence application process, the applicant should demonstrate how they will ensure that alcohol is not sold/delivered remotely to intoxicated persons.

Under the current legislation, remote sellers may deliver alcohol at any time between 6 am and 11 pm (s49). TRONIT recommends that as a discretionary condition, remote delivery of alcohol should only be within the permitted trading hours of the premises.

A further condition could be that any remote sale of alcohol made after 6pm should be delivered the following day. This would help prevent the extension of hazardous drinking into the night.

5 Whether further licences should be issued in the district or parts of the district

- From the date this LAP comes into force, no further licences for bottle stores should be issued for premises in the Te Puke – Maketu Ward area.

5.1 TRONIT supports these steps to address alcohol-related harm in the Te Puke-Maketu Ward area. The area has a higher population of Maori and other vulnerable populations and a saturation level of alcohol outlets.

TRONIT recommends the introduction a temporary freeze on new off-licence premises for 24 or 36 months in Te Puke-Maketu Ward. Thereafter imposing a Rebuttable Presumption for any further applications.

5.2 TRONIT recommends that WBOPBC adopts a Rebuttable Presumption across the whole District. The responses from Police, Health, Iwi/Hauora, Community Boards and community agencies indicate there are enough or too many of-licences in the district. Most want tighter controls/restrictions on the number, location and hours of operation. The Presumption is that applications for new off-licences should be refused and that this presumption may be rebutted by the applicant.

- This approach is more flexible than a policy based on arbitrary numbers and formulas such as a cap on the number of licences, or the number of licences per head of population that could be appealed.

- This approach allows new applications to be presented at any time or following the temporary freeze in Te Puke-Maketu, but places the onus on the applicant to demonstrate why there is a need for their proposed new liquor licence, and in doing so, how they can assure the DLC that they will achieve the objectives of the Act. At the moment, an applicant only has to show that they will properly manage their business to their front door, and the burden is on agencies and communities to produce evidence of the likely harm. The Act was predicated

on the proposition that licences would be 'hard to get and easy to lose' but the record shows that across the country, licences are still being granted in the face of overwhelming opposition.

The following is the relevant section from the Provisional Auckland LAP.

3.3. Overview of policy tool: Rebuttable presumption against the issue of New Off-licences

Presumption

3.3.1. The Presumption is that applications for New Off-licences should be refused in the areas specified at 4.1.2., 4.1.4, and 4.1.6.

3.3.2. This Presumption may be rebutted by the applicant. Deciding whether the presumption is rebutted

3.3.3. In deciding whether the Presumption is rebutted by the applicant under clause 3.3.2, the DLC and ARLA should have regard to: (a) the Local Impacts Report (b) information provided, and representations made, by the applicant. Explanatory Note for Reporting Agencies

3.3.4. The presumption against the issuing of off-licences is not intended to relieve Reporting Agencies of the obligation to inquire into an application, nor remove their right to oppose an application if they have grounds for concern based on the criteria for issuing licences under the Act.

The Court of Appeal endorsed ARLA's judgement concerning the temporary freeze and rebuttable presumption.

The effect of this decision is that:

ARLA's decision that the temporary freeze and rebuttable presumption (elements 3.2 and 3.3) are not unreasonable in light of the object of the Act is reinstated.

The Court of Appeal recognised that while the Local Impact Reports established in the Auckland Provisional LAP were not mandated in the legislation, they stated:

In our view, the policy element dealing with Local Impact Reports is cl 3.1, which provided for them as a "policy tool".

In essence, the Local Impacts Reports are completed by the Licensing Inspectorate at the Council and the Auckland Provisional LAP sets out the Relevant Matters:

A Local Impacts Report should address the following matters to the extent that the information is available:

(a) the existing licensed premises in the Reporting Area, including the number, their locations relative to the proposed site, the kinds and mix of licences, the type of premises, their trading hours, and their risk profiles under the Sale and Supply of Alcohol (Fees) Regulations 2013; and

(b) whether any of the following sensitive sites exist within the Reporting Area, and the proximity of these to the proposed site (including whether the relevance of the proximity is impacted upon by any significant physical barriers, such as a river or motorway):

- (i) early childhood centres and child care facilities; and
- (ii) Education Facilities; and
- (iii) addiction treatment facilities; and
- (iv) marae

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- (c) for on-licence applications, the transport options available during the times the proposed licence would be open to the public, including buses, trains and taxis; and
- (d) the other types of land uses within the Reporting Area; and
- (e) the nature and severity of alcohol-related harm in the Reporting Area, including incidence of alcohol-related crime, anti-social behaviour, alcohol related health issues and any other information relevant to section 4(2) of the Act; and
- (f) the nature of the licence application being considered, including the kind of licence applied for, the type of premises, the patron capacity, the hours of operation sought, and the likely risk profile under the Sale and Supply of Alcohol (Fees) Regulations 2013; and
- (g) the steps the applicant will take to manage the premises so as to minimise alcohol-related harm, as outlined in the application.

5.3 TRONIT recommends that in addition to the matters (a)-(g) above, and the duties to report by Police and the Medical Officer of Health, there should be provision in the Local Alcohol Policy for a discretionary Iwi/Maori cultural report. This "policy tool" would enable Iwi/Maori to have a direct voice in licensing matters that concern them, rather than the current situation where they must make submissions in order to express their views.

6 5.2.1 Maximum licensed hours

- Maximum licensed hours for all on-licences shall be 9am to 1am the following day.

6.1 TRONIT supports the trading hours (9am to 1am) for on-licences and club licences

6.2 TRONIT supports the discretionary conditions for on-licences and club licences.

6.3 TRONIT supports the discretionary conditions for special licences.

7 5.2.2 and 5.3.2 One way door restrictions

- Any on-licence premises licensed until after 2.00am shall have a one-way door restriction in place from 2.00am

7.1 TRONIT does not support this. The one way door restriction should be 12.00am for all on-licences.

8 TRONIT supports extending the public alcohol ban zone to the whole of Te Puke, not just the town centre.

**Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

I agree with the proposed changes

**Alcohol Control Bylaw – Other actions or comments**

Please see previous comments added in submission.

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022**

**Name:**  
**Organisation (if applicable):**  
**Submitter ID:** 93

**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

I do not agree with the proposed change

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

I agree with the proposed change

**Local Alcohol Policy – Other actions or comments****Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

I do not agree with the proposed changes

**Alcohol Control Bylaw – Other actions or comments**

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022**

**Name:** Roger Glynan  
**Organisation (if applicable):**  
**Submitter ID:** 94

**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

I agree with the proposed change

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

No new bottle stores throughout BOPP

**Local Alcohol Policy – Other actions or comments**

No new bottle stores in BOP

**Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

I agree with the proposed changes

**Alcohol Control Bylaw – Other actions or comments**

No new bottle stores in BOP

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022**

**Name:** rick stewart

**Organisation (if applicable):**

**Submitter ID:** 95

**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

10am – 8pm

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

can be more but with the opening hours I have suggested above, a minimum of 1km from schools.

**Local Alcohol Policy – Other actions or comments**

No alcohol advertising on outside of buildings, signs prices etc. Including mailers to letter boxes.

**Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

I agree with the proposed changes

**Alcohol Control Bylaw – Other actions or comments**

No alcohol advertising in public, places of business & private property.

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022**

**Name:** Paige Bowles

**Organisation (if applicable):**

**Submitter ID:** 96

**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

I do not agree with the proposed change

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

I do not agree with the proposed change

**Local Alcohol Policy – Other actions or comments****Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

I do not agree with the proposed changes

**Alcohol Control Bylaw – Other actions or comments**

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022**

**Name:** Jeremy Gibson  
**Organisation (if applicable):**  
**Submitter ID:** 97

**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

I agree with the proposed change

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

I agree with the proposed change

**Local Alcohol Policy – Other actions or comments****Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

I do not agree with the proposed changes

**Alcohol Control Bylaw – Other actions or comments**

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022**

**Name:** Robert Rhyndress  
**Organisation (if applicable):**  
**Submitter ID:** 98

**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

I do not agree with the proposed change

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

I do not agree with the proposed change

**Local Alcohol Policy – Other actions or comments****Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

I agree with the proposed changes

**Alcohol Control Bylaw – Other actions or comments**

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022**

**Name:** kevin gibbs

**Organisation (if applicable):**

**Submitter ID:** 99

**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

7:00 to 9:00 pm

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

I agree with the proposed change

**Local Alcohol Policy – Other actions or comments**

Local Alcohol should be band

**Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

I do not agree with the proposed changes

**Alcohol Control Bylaw – Other actions or comments**

think some more on it

**What else can Council do to reduce alcohol related harm and create safer communities?**

Age limit for energy drinks should be age 30

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022**

**Name:** Andrea Jacks

**Organisation (if applicable):**

**Submitter ID:** 100

**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

I agree with the proposed change

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

I agree with the proposed change

**Local Alcohol Policy – Other actions or comments****Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

I agree with the proposed changes

**Alcohol Control Bylaw – Other actions or comments**

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022****Name:****Organisation (if applicable):****Submitter ID:** 101**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

I agree with the proposed change

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

I agree with the proposed change

**Local Alcohol Policy – Other actions or comments**

No more liquor licences should be granted

**Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

I agree with the proposed changes

**Alcohol Control Bylaw – Other actions or comments**

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022**

**Name:** HEATHER BALLANTYNE  
**Organisation (if applicable):**  
**Submitter ID:** 102

**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

I agree with the proposed change

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

I agree with the proposed change

**Local Alcohol Policy – Other actions or comments**

the fewer bottle stores or alcohol shops the better. away from schools, eg little shops by colleges.

**Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

I agree with the proposed changes

**Alcohol Control Bylaw – Other actions or comments**

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022**

**Name:** Ora Mcsweeny  
**Organisation (if applicable):**  
**Submitter ID:** 103

**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

I agree with the proposed change

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

I agree with the proposed change

**Local Alcohol Policy – Other actions or comments**

A limit to the amount that can be purchased at one time.  
Also the bottle stores shouldn't open at 7am they should open at 9am.

**Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

I agree with the proposed changes

**Alcohol Control Bylaw – Other actions or comments**

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022**

**Name:** Craig Darrall  
**Organisation (if applicable):**  
**Submitter ID:** 104

**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

Would like to see hours pushed back further in the mornings.

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

I agree with the proposed change

**Local Alcohol Policy – Other actions or comments**

Liquor bans are great but only if they are enforced. How does the council plan on preventing the widespread public drinking that occurs in many of our local parks?

**Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

I agree with the proposed changes

**Alcohol Control Bylaw – Other actions or comments**

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022**

**Name:** Shane Hannan  
**Organisation (if applicable):**  
**Submitter ID:** 105

**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

I do not agree with the proposed change

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

I agree with the proposed change

**Local Alcohol Policy – Other actions or comments****Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

I do not agree with the proposed changes

**Alcohol Control Bylaw – Other actions or comments**

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022**

**Name:** Malia Soifua Tupou  
**Organisation (if applicable):**  
**Submitter ID:** 106

**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

9am – 9pm

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

I agree with the proposed change

**Local Alcohol Policy – Other actions or comments**

Remove alcohol from dairies and other "corner stores". Limit them to bottle stores and a maximum number of supermarkets in one area

**Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

I agree with the proposed changes

**Alcohol Control Bylaw – Other actions or comments****What else can Council do to reduce alcohol related harm and create safer communities?**

Project with local schools or rangatahi led initiatives to design campaign / messaging around safe drinking culture or no alcohol activities, safer drinking behaviours?

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022**

**Name:** Diane Banbury  
**Organisation (if applicable):**  
**Submitter ID:** 107

**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

I agree with the proposed change

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

I agree with the proposed change

**Local Alcohol Policy – Other actions or comments**

I would like to see a ban on alcohol in centre TePuke especially around parks and public places and the shopping area.

**Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

I do not agree with the proposed changes

**Alcohol Control Bylaw – Other actions or comments**

Even shorter hours to buy alcohol and it removed from supermarkets.

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022**

**Name:** Martin Balk

**Organisation (if applicable):**

**Submitter ID:** 108

**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

I do not agree with the proposed change

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

I do not agree with the proposed change

**Local Alcohol Policy – Other actions or comments**

More things to enforce drugs ban smoke ban alcohol van etc  
Got to stop making things illegal does not solve the problem

**Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

I do not agree with the proposed changes

**Alcohol Control Bylaw – Other actions or comments**

Let people decide for themselves

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022****Name:****Organisation (if applicable):****Submitter ID:** 109**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

I agree with the proposed change

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

I agree with the proposed change

**Local Alcohol Policy – Other actions or comments****Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

I agree with the proposed changes

**Alcohol Control Bylaw – Other actions or comments**

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022**

**Name:** Leah Horiba

**Organisation (if applicable):**

**Submitter ID:** 110

**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

I agree with the proposed change

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

I agree with the proposed change

**Local Alcohol Policy – Other actions or comments****Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

I agree with the proposed changes

**Alcohol Control Bylaw – Other actions or comments**

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022**

**Name:** Nikki O'Neill

**Organisation (if applicable):**

**Submitter ID:** 111

**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

I agree with the proposed change

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

I agree with the proposed change

**Local Alcohol Policy – Other actions or comments**

Increase the price of alcohol

**Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

I agree with the proposed changes

**Alcohol Control Bylaw – Other actions or comments**

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022**

**Name:** Tap Rabinowitz  
**Organisation (if applicable):**  
**Submitter ID:** 112

**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

I do not agree with the proposed change

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

I do not agree with the proposed change

**Local Alcohol Policy – Other actions or comments****Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

I do not agree with the proposed changes

**Alcohol Control Bylaw – Other actions or comments**

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022**

**Name:** Bruce Jonson

**Organisation (if applicable):**

**Submitter ID:** 113

**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

11am to 9pm

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

I agree with the proposed change

**Local Alcohol Policy – Other actions or comments**

Limit Bottle Stores in Katikati. There are far too many.

**Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

I agree with the proposed changes

**Alcohol Control Bylaw – Other actions or comments**

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022**

**Name:** Erin Saunders

**Organisation (if applicable):**

**Submitter ID:** 114

**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

I agree with the proposed change

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

I agree with the proposed change

**Local Alcohol Policy – Other actions or comments****Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

I agree with the proposed changes

**Alcohol Control Bylaw – Other actions or comments**

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022**

**Name:** Ivan Munkedal

**Organisation (if applicable):** Te Puke High School

**Submitter ID:** 115

**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

I agree with the proposed change

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

I agree with the proposed change

**Local Alcohol Policy – Other actions or comments**

I think that the bottle stores could close even earlier, like 8 pm.

**Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

I agree with the proposed changes

**Alcohol Control Bylaw – Other actions or comments**

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022**

**Name:** Monique Savage  
**Organisation (if applicable):** Na  
**Submitter ID:** 116

**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

I agree with the proposed change

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

I agree with the proposed change

**Local Alcohol Policy – Other actions or comments****Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

I agree with the proposed changes

**Alcohol Control Bylaw – Other actions or comments**

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022**

**Name:** Kristina Peina

**Organisation (if applicable):**

**Submitter ID:** 117

**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

I agree with the proposed change

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

I agree with the proposed change

**Local Alcohol Policy – Other actions or comments**

There should NOT be as many places selling alcohol as there is in Te Puke.

**Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

I agree with the proposed changes

**Alcohol Control Bylaw – Other actions or comments**

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022**

**Name:** Mary Hall  
**Organisation (if applicable):**  
**Submitter ID:** 118

**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

I agree with the proposed change

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

I agree with the proposed change

**Local Alcohol Policy – Other actions or comments**

No further licences issued in all WBOP. No licences issued to bottle stores in areas where school buses stop/ within 10kms of schools. No advertising outside bottle stores

**Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

I agree with the proposed changes

**Alcohol Control Bylaw – Other actions or comments**

The establishment of Alcohol Trust which is the only venue to sell alcohol, similar to Invercargill, where profits are returned to community

**Local Alcohol Policy and Alcohol Control Bylaw Review  
2021/2022**

**Name:** Tui Yeager

**Organisation (if applicable):**

**Submitter ID:** 119

**Local Alcohol Policy – Off licence hours**

*Do you agree with the proposed change to the maximum hours for off licence to 7am – 9pm (currently 7am – 10pm)?*

I agree with the proposed change

**Local Alcohol Policy – Bottle stores in the Te Puke – Maketu Ward area**

*Do you agree with the proposed change to prevent the establishment of any further bottle stores in the Te Puke – Maketu Ward?*

I agree with the proposed change

**Local Alcohol Policy – Other actions or comments**

Earlier closing for licensed premises. They don't need to be open till early hours of the morning serving alcohol.

**Alcohol Control Bylaw – Te Puke Alcohol Control Area**

*Do you agree that the Alcohol Control Area currently in place for Te Puke be expanded to cover the entire urban area of Te Puke?*

I agree with the proposed changes

**Alcohol Control Bylaw – Other actions or comments**

Submission 120

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**From:** Lee flintoff  
**Sent:** Sunday, 7 November 2021 2:43 pm  
**To:** Have Your Say  
**Subject:** Alcohol

Yes bring back the 9pm closing better still bring back the 6pm closing  
Leonie

Submission 121

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**From:** attiya andrew  
**Sent:** Saturday, 13 November 2021 5:39 pm  
**To:** Have Your Say  
**Subject:** CAP ON POP UP BOTTLESTORES IN ALL OF TEPUKE

Put a cap on all al ohol bottlestores in the whole of TEPUKE. FOR SAFER COMMUNITIES.....TO END CHILD POVERTY.

[Sent from Yahoo Mail on Android](#)

Submission 122

**TOI TE ORA  
PUBLIC HEALTH**

Bay of Plenty + Lakes Districts

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Toi Te Ora Public Health  
PO Box 2120  
TAURANGA 3140

22 November 2021

Matt Leighton  
Senior Policy Analyst  
Western Bay of Plenty District Council  
Emailed to: [haveyoursay@westernbay.govt.nz](mailto:haveyoursay@westernbay.govt.nz)

Dear Matt

**Submission on the Western Bay of Plenty District Council proposed changes to the Local Alcohol Policy and Alcohol Control Bylaw**

I am writing on behalf of Toi Te Ora Public Health to make a submission on the proposed significant changes to the Local Alcohol Policy and Alcohol Control Bylaw ("the Bylaw").

Toi Te Ora Public Health is responsible for providing services to promote and protect the public health in the Bay of Plenty Region. Toi Te Ora Public Health fully supports the proposed changes to the Bylaw.

Alcohol related harm is a significant contributor the burden of disease and is well researched. There is strong evidence from international and local research that steps to reduce the availability of alcohol for sale and to reduce consumption in public places, protect the public from alcohol related harm.

The three significant changes to the Bylaw are consistent with this research to reduce alcohol related harm. We are pleased to note these changes include:

1. Off licence hours reduced with alcohol sales ending at 9pm (not 10pm). Includes alcohol stores, grocery stores and supermarkets for example.
2. No new bottle stores in the Te Puke-Maketu ward
3. Increase the coverage of the ban on alcohol in public places (Alcohol Control Area) in Te Puke to cover the entire urban area, not just the town centre.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Lynne Lane'.

Dr Lynne Lane  
Medical Officer of Health

Phone us on 0800 221 555 • [enquiries@toiteora.govt.nz](mailto:enquiries@toiteora.govt.nz) • [www.toiteora.govt.nz](http://www.toiteora.govt.nz)

Submission 123

**Have Your Say**

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**From:** Bryn  
**Sent:** Thursday, 25 November 2021 1:18 pm  
**To:** Have Your Say  
**Subject:** Alcohol Policy Review

Attention: Matthew Leighton Policy Analyst

On behalf of the Katikati Bowling Club I provide comment on the one proposal that appears relevant to our locality in the Western Bay of Plenty District. That being the proposal to change the hours for off licence sales from 10pm to 9pm. Council will get our support for this change. The other two proposals affect the areas of Te Puke and Maketu, we have no comment to make regarding those proposed changes.

Regards

Bryn Gradwell

President

Katikati Bowling Club Inc.

*Bryn Gradwell*

5 Uretara Drive

Katikati 3129

Bay of Plenty

021971349

[bryngradwell@xtra.co.nz](mailto:bryngradwell@xtra.co.nz)

Submission 124



**Submission on the Western Bay of Plenty Local Alcohol Policy and Alcohol Control Bylaw**

**December 3, 2021**

Alcohol Healthwatch is an independent charitable trust working to reduce alcohol-related harm. We are contracted by the Ministry of Health to provide a range of regional and national health promotion services. These include: providing evidence-based information and advice on policy and planning matters; coordinating networks and projects to address alcohol-related harms, such as alcohol-related injury and fetal alcohol spectrum disorder; and coordinating or otherwise supporting community action projects.

Thank you for the opportunity to provide feedback on the Western Bay of Plenty proposed Local Alcohol Policy and Alcohol Control Bylaw.

We would like the opportunity to speak to our submission.

If you have any questions on the comments we have included in our submission, please contact:

Dr Nicki Jackson  
Executive Director  
Alcohol Healthwatch  
P.O. Box 99407, Newmarket, Auckland 1149  
P: (09) 520 7039  
E: [director@ahw.org.nz](mailto:director@ahw.org.nz)

## Summary of issue and recommendations

### *Overall*

- restricting the local availability of alcohol is a pro-equity, evidence-based intervention to reduce the level of, and inequities in, alcohol harm in the Western Bay of Plenty region
- **recommend** Council advocate to Government for a wide review of the Sale and Supply of Alcohol Act 2012, recommending implementation of evidence-based policies that address low alcohol prices, high availability and pervasive alcohol advertising and sponsorship
- **recommend** Council work closely with the DHB to encourage collection of alcohol-related Emergency Department presentation data
- **recommend** that the opening and closing hours for each licence type be listed as separate elements in the LAP

### *Off-licence provisions*

- **support** the reduced off-licence closing hour of 9pm
- **do not support** the proposed off-licence opening hour of 7am, recommend 10am
- **support** the proposed cap on bottle stores in the Te Puke-Maketu Ward
- **recommend** consideration is given to imposing a cap in other townships of the Western Bay of Plenty or across the region (e.g. cap at number at policy adoption or specify the maximum number that will be permitted)
- **recommend** the inclusion of discretionary conditions relating to off-licences – especially relating to advertising and signage, single sales, and types of product sold
- **recommend** that consideration be given to decisions on new licences intending to locate within at least 100m of sensitive sites
- **recommend** measures are put in place to ensure that Council is aware of all premises in the district selling alcohol online, to allow effective monitoring and compliance activities

### *On-licence provisions*

- **support** the on-licence trading hours of 9am to 1am
- **support** the discretionary conditions for on-licences
- **suggest** that Section 5.2.2 of the proposed LAP is amended to make it clear that the provision only relates to special licences

### *Club licence provisions*

- **do not support** the closing trading hour of 1am for club licences, recommend 12am
- **support** the discretionary conditions for club licences

### *Special licence provisions*

- **recommend** the LAP specify maximum trading hours for special licences, preferably no later than 3am
- **support** the discretionary conditions for special licences
- **recommend** a discretionary condition for events with over 1000 attendees (or as otherwise considered appropriate) that requires an Event Alcohol Risk Management Plan
- **recommend** the LAP include provisions that protect children in the region, by not allowing special licences to be granted for child-focussed events

### *Alcohol Control Bylaw*

- **support** extending the public alcohol ban zone to the whole of Te Puke, not just the town centre

## Introduction

1. Firstly, Alcohol Healthwatch commends the Western Bay of Plenty District Council on their commitment to review their Local Alcohol Policy (LAP). It is clear that the Council are acknowledging and responding to community concerns regarding the negative impact of alcohol use in their district. This clearly aligns with the priority objective of the Sale and Supply of Alcohol Act 2012 (hereon referred to as the 'Act') being to "improve community input into local alcohol licensing decisions".
2. We wish to acknowledge the efforts of the policy team, Council members and stakeholders in reviewing the LAP on behalf of their community. We further acknowledge the effort and expertise that Council officers and alcohol harm reduction partners have put into preparing the Local Alcohol Policy Research Report<sup>1</sup> to inform the review of the LAP.
3. We strongly believe that a LAP is a package of measures which, when used comprehensively, can significantly minimise rates of hazardous drinking and subsequent alcohol-related harm. For this reason, we recommend that the LAP is considered not just as a collection of isolated elements but as a cohesive package to reduce alcohol-related harm, insofar as can be achieved with measures relating to licensing.
4. A LAP which has the effect of reducing the overall availability of alcohol has significant potential to further minimise alcohol-related harm and improve community well-being. Measures that reduce accessibility and availability of alcohol have particular benefits for those who experience significant inequities in harm (i.e. Māori and those socio-economically disadvantaged). To date, alcohol outlets in New Zealand have been inequitably distributed to the most deprived neighbourhoods and the unequal harms from this must be addressed.
5. By incorporating evidence-based measures to address both the physical and temporal availability of alcohol, a LAP can support other harm reduction interventions in the local area and assist in sending a strong signal to communities regarding the harms associated with alcohol use.
6. The content of a LAP must be determined on its ability to contribute to achieving the object (section 4) of the Sale and Supply of Alcohol Act 2012,<sup>2</sup> that being:
  - (a) *The sale, supply, and consumption of alcohol should be undertaken safely and responsibly; and*
  - (b) *The harm caused by the excessive or inappropriate consumption of alcohol should be minimised.*

*For the purposes of subsection (1), the harm caused by the excessive or inappropriate consumption of alcohol includes—*

  - (a) *any crime, damage, death, disease, disorderly behaviour, illness, or injury, directly or indirectly caused, or directly or indirectly contributed to, by the excessive or inappropriate consumption of alcohol; and*
  - (b) *any harm to society generally or the community, directly or indirectly caused, or directly or indirectly contributed to, by any crime, damage, death, disease, disorderly behaviour, illness, or injury of a kind described in paragraph (a).*
7. Therefore, a LAP must seek to do two things: Firstly, it needs to **minimise** alcohol-related harm in the Western Bay of Plenty region. Secondly, it needs to **prevent** further alcohol-related harm from happening (where able). Given alcohol is, by far, the most harmful of

- all drugs available in society,<sup>3,4</sup> residents deserve the strongest protections available from its range of harms.
8. We note that a study published this year found no significant changes in crime following the adoption of local alcohol policies in New Zealand.<sup>5</sup> The authors note that the failure to identify significant reductions in crime may partly reflect the lack of meaningful reductions in trading hours, as many Territorial Authorities explicitly acknowledged that their LAP trading hours reflected actual trading hours at the time of policy adoption. This meant that, in many Territorial Authorities, the majority of on-licences were unaffected by the adopted trading hours in the LAP.
  9. Local Government has a mandated role to promote the social, economic, environmental, and cultural well-being of their communities. Inequities in harm from alcohol will significantly reduce wellbeing for current and future generations, and must be urgently addressed. In particular, the council must consider the burden of alcohol-related harm on Māori. Māori are significantly more likely to drink hazardously than non-Māori,<sup>6</sup> and experience higher levels of both acute and chronic health harm from alcohol.<sup>7,8</sup> Research on premature deaths and disability attributable to alcohol has shown that alcohol-related mortality among Māori was double that of non-Māori in 2007.<sup>9</sup> This is especially relevant to the Western Bay of Plenty district, which has a slightly higher proportion of Māori residents (19.2%) than New Zealand as a whole (16.5%).
  10. Young Māori males (15-24 years) have been shown to have disproportionately greater risks of hazardous drinking from living close to licensed outlets<sup>10</sup> and tamariki Māori have at least five times the exposure to alcohol advertising compared to European/other children, with a significant proportion of this exposure arising from shop-front advertising and signage.<sup>11</sup>
  11. Alcohol Healthwatch **supports** Councils around the country to develop wider alcohol harm reduction strategies that extend beyond licensing issues covered in a LAP. We further recommend Councils contribute to discussions on alcohol legislation at a national level with a view to influencing alcohol consumption and related harms at a local level. While **alcohol remains more affordable than ever before**<sup>12</sup>, it is a hard ask for Territorial Authorities to create a paradigm shift in the local drinking culture. Councils must advocate for evidence-based law change to **address the low price of alcohol, its high availability and pervasive marketing**.
  12. As the Minister of Justice has announced a review into New Zealand's liquor laws, to be scoped this Parliamentary term, it is especially important that the voice of local government is heard. We encourage all local governments to write to the Minister outlining their experiences with upholding community wishes for greater control of alcohol availability (e.g. through licence application processes and/or LAP adoption and appeal processes). We commend the recent letter to the Minister co-signed and sent by the Mayor of Whanganui District Council on the challenges they have faced upholding community wishes through licensing decisions and LAP processes.

### **Importance of community input into the LAP**

13. As stated above, the priority objective of the Sale and Supply of Alcohol Act 2012 is to "improve community input into local alcohol licensing decisions".
14. LAPs were intended as a method for communities to have a greater say on local alcohol availability. This is emphasised in the Court of Appeal decision ([2021] NZCA 484) in relation to Auckland Council's Provisional Local Alcohol Policy:

[32] The second and more general point is that revealed community preference has an important role to play under the Act. That is shown by provision for local alcohol policies, the extent to which it is permissible for such policies to govern the supply of alcohol, and delegation of decision-making to territorial authorities. As Mr McNamara submitted for the Council, a local alcohol policy is a means by which communities can implement, through participatory processes, some of their own policies on alcohol-related matters in their districts. Because those policies are the product of a process designed to discover and implement a community preference, they need not be evidence-based. If an objectively unreasonable preference finds its way into a proposed local alcohol policy, the remedy lies in an appeal to ARLA.

- 15. The Health and Wellbeing Population Survey 2020 clearly demonstrates support among Bay of Plenty residents for restrictions to the availability of alcohol.<sup>13</sup>

**Local Alcohol Policies within the context of a global health pandemic (COVID-19)**

- 16. It is clear that the global pandemic has had an immediate impact on alcohol consumption in New Zealand, and that it represents a picture of both good news and bad news.
- 17. Health Promotion Agency research<sup>14</sup> found that **19%** of New Zealanders (who had consumed alcohol in the past four weeks) reported **increasing their alcohol use** during Level 4 lockdown in April 2020, when compared to consumption patterns pre-lockdown. Almost one-half of drinkers (47%) had consumed the usual amount, and **34% had consumed less** (Figure 1). Although these findings are from a national study, we see no reason why they may not apply to residents in the Western Bay of Plenty region.
- 18. Post lockdown in July 2020, the proportion of drinkers that had increased their consumption reduced from 19% in Level 4 to 14% in Level 1, while the proportion drinking less reduced from 34% to 22% (Figure 1).

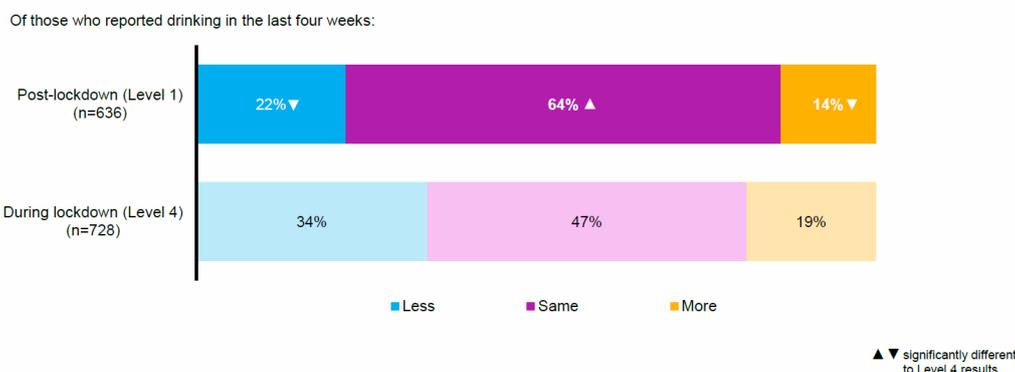


Figure 1. Changes in drinking during Level 4 lockdown and Level 1 of the COVID-19 pandemic.

- 19. When looking at changes in the average amount of alcohol consumed per week during Level 4 lockdown, results show an increase (from 12.82 standard drinks per week pre-lockdown to 14.09 drinks during Level 4). This reduced to 13.47 drinks per week in Level 1. This finding points towards the reduced intake by many New Zealanders not offsetting the increased volume of alcohol consumed by those who increased their consumption. It is likely that heavy drinkers were the drinkers who consumed more, whilst it was low-risk drinkers that consumed less.

20. It is imperative that we do everything we can to support New Zealanders who have maintained lower levels of drinking during, and after, Level 4 lockdown. This is the ‘good news’ of alcohol use during the global pandemic.
21. Findings by ethnicity show that 22% of Māori drinkers increased their consumption in Level 4 lockdown, when compared to pre-lockdown. This **prevalence did not decrease** following the cease of Level 4 lockdown, with 22% reporting higher consumption in Level 1 when compared to pre-lockdown (Figure 2). This has important implications for minimising alcohol harm among Māori in the Western Bay of Plenty region and upholding Treaty obligations to promote and protect the health of Māori.
22. Among Pasifika drinkers, the proportion that increased their consumption had halved at Level 1, from 20% in Level 4 lockdown to 10% in Level 1.<sup>14</sup> Therefore, there remain significant inequities by ethnicity in post-lockdown drinking.

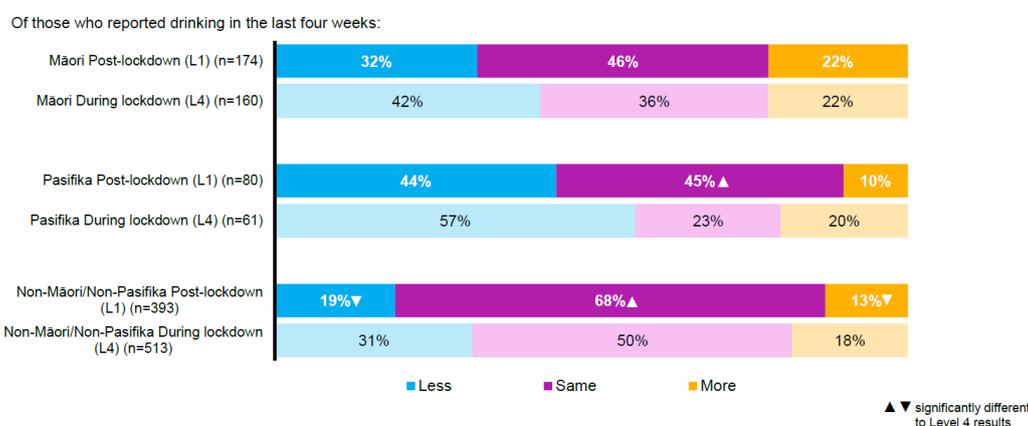


Figure 2. Changes in drinking during Level 4 lockdown and Level 1 of the COVID-19 pandemic, by ethnicity.

23. Age differences in drinking during and post-lockdown were striking. It is clear that a higher proportion of 18-24 year olds reduced their consumption during Level 4 lockdown, when compared to other age groups. However, as Figure 3 shows, the proportion of young adults that increased their consumption did not change between Level 4 lockdown (19%) and Level 1 (23%).<sup>14</sup>

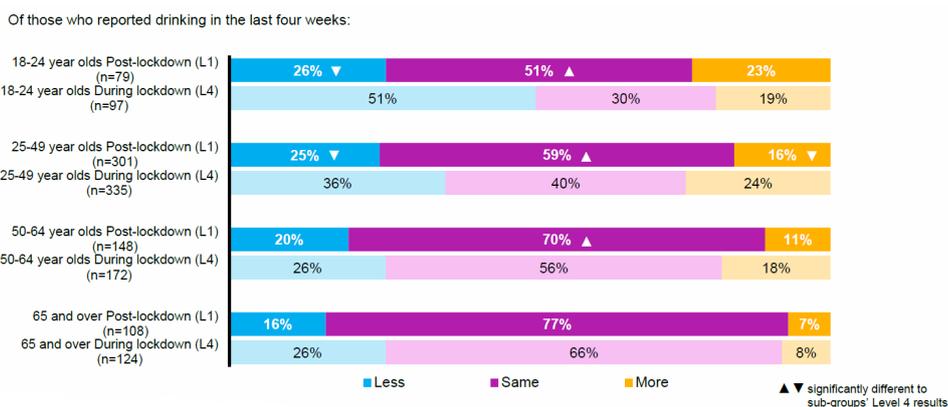


Figure 3. Changes in drinking during Level 4 lockdown and Level 1 of the COVID-19 pandemic, by age group.

24. Across all study participants, reasons given for drinking more included: 1) It helps me relax/switch off, 2) I have been feeling stressed out/anxious, and 3) I have been bored.<sup>14</sup>
25. Reasons given for drinking less included: 1) haven't been able to, or haven't wanted to, socialise as much or go out/visit the pub etc., 2) money/cost, 3) haven't wanted to go out and buy alcohol, 4) physical health reasons (e.g. weight, health condition, to be healthier), and 5) the lockdown period was a good time to reduce how much I drink and I want to continue drinking less.<sup>14</sup>
26. We suggest that the context of the global pandemic warrants additional considerations in relation to alcohol licensing decisions and local alcohol policy development and review. A LAP can play a significant role in minimising alcohol harm, particularly among those who have increased their consumption during the pandemic.
27. Previous public health and economic crises inform the predictions of alcohol use going forward. Researchers propose that the COVID-19 pandemic will influence consumption via two main pathways:<sup>15</sup>
  - (a) *increase consumption*: due to psychological distress triggered by financial difficulties, social isolation and uncertainty about the future
  - (b) *reduce consumption*: due to income reductions from unemployment and reduced working hours leading to tighter budgets.
28. It is suggested that some impacts will be immediate, whilst others will occur over a longer time period.<sup>15</sup> The longer term impacts of the pandemic are believed to include a normalisation of home drinking, reinforcing or introducing drinking as a way to self-medicate symptoms of stress, anxiety, and boredom and increased prevalence of alcohol dependence.<sup>16-19</sup>
29. Many people will use alcohol to cope with the on-going impacts of the pandemic. Research shows that individuals who drink for coping reasons are at a heightened risk of developing problems with alcohol.<sup>20</sup> Depression and anxiety have been found to be associated with drinking to cope.<sup>20</sup>
30. A cross-sectional study in Australia found that depression and anxiety were associated with increased alcohol consumption during the first few months of COVID-19 pandemic.<sup>21,22</sup>
31. Factors such as unemployment and time spent unemployed may also play a role in increased alcohol harm, in addition to redundancies and job losses leading to increased workloads for others and reduced workplace morale.<sup>23</sup>
32. Alcohol use has always played a role in New Zealand's reduced productivity and levels of unemployment, and is inversely related to economic growth. At a time when New Zealand needs full employment and maximum productivity, we need to take alcohol control measures that effectively reduce harm. Persons trapped in the mire of unemployment and debt are likely to have heightened vulnerability to developing new, or exacerbating existing, alcohol and related problems.<sup>23</sup>
33. Increases in alcohol use are likely to lead to a long-term increase in newly diagnosed patients with alcohol use disorders.<sup>24</sup>
34. At a time when New Zealanders are also likely to feel anxious, stressed and vulnerable, efforts should encourage measures that limit alcohol, not facilitate it.<sup>25</sup> The World Health

- Organisation advises that restrictions on access to alcohol should be upheld or even reinforced during the pandemic.<sup>26</sup>
35. We propose that the effects of the pandemic will cast a shadow over the entire period that the reviewed Western Bay of Plenty LAP is in force. The LAP has the potential to minimise any additional alcohol harm created by the pandemic, and thus improve community well-being.
  36. A particular issue in New Zealand has been the expansion of bottle stores selling alcohol online. It has been argued that, in Australia, the licensing system has not kept pace with the changes in the market, and that online sales operate under much lower levels of scrutiny than the traditional bricks and mortar store.<sup>27</sup>
  37. In New Zealand, we witnessed an overnight increase in bottle stores selling online during Level 4. However, there remains a lack of knowledge regarding who is selling online as off-licences have the default ability to sell in a physical shop as well as online. Compliance is therefore challenging, as there appears to be no list of online sellers (apart from those with a S40 remote sales only licence).
  38. We **recommend** measures are put in place to ensure that Council is aware of all premises in the district selling online, so that monitoring and compliance activities can be effectively carried out.
  39. Certainly, alcohol use places a major burden on health care.<sup>28</sup> Reducing the harm from alcohol will reduce any future burden on the health services.
  40. In relation to the COVID-19 illness, alcohol is an immunosuppressant and increases acute respiratory distress syndrome via multiple pathways.<sup>29,30</sup> Alcohol use disorders need to be considered as a predictor for COVID-19 disease severity and Intensive Care Unit admission.<sup>29</sup>

### **Prevalence of health harms from alcohol in the Western Bay of Plenty region**

41. The LAP Research Report clearly outlines the patterns of alcohol use and prevalence of harm in the region.
42. In general, there appears to be an admission rate for wholly alcohol-attributable conditions among residents of the Western Bay of Plenty that is comparable with the national average.
43. Of concern, the level of chronic harm from alcohol appears to be increasing over time (Figure 4). Note that these are crude rates, unadjusted for demographic differences between populations.

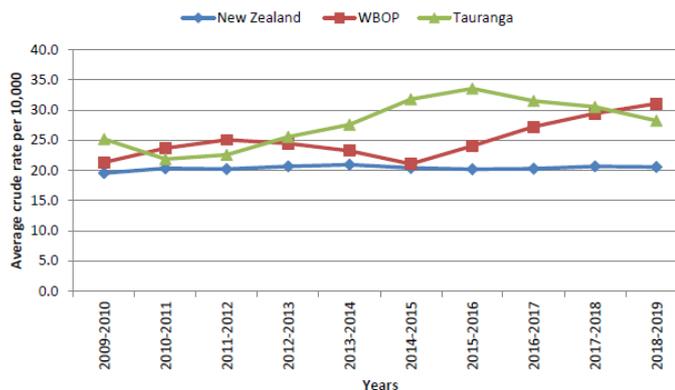


Figure 4. Crude rates of admissions to hospital for people with chronic conditions wholly attributable to alcohol use.

44. It is important to note that the data masks differences by age, ethnicity, sex and level of socio-economic deprivation. Therefore, it does not show groups that are experiencing disproportionately more harm.
45. Alcohol Healthwatch believes that no Council nor community is immune from alcohol harm. The national average represents a high level of harm across the country and so any comparisons need to take that into consideration.

### Off-licences

46. Off-licences sell approximately 75% of all alcohol in New Zealand (43% from bottle stores, 32% from supermarkets).<sup>31</sup> This means that the majority of alcohol is purchased (often cheaply) and consumed in situations where there may be little control or supervision, such as private homes or public places.
47. A minority of the alcohol sold is consumed at on-licence premises or at licensed events, where there must be supervision, control and an expectation of host responsibility.
48. New Zealand research<sup>32</sup> shows that 73% of all very heavy drinking occasions occurs in private homes. Around one in every ten heavy drinking occasions occurs in bars.
49. The closure of hospitality businesses during COVID-19 lockdowns has meant that off-licence availability became the main supply of alcohol to communities.
50. As such, evidence-based strategies to minimise the harm from off-licence availability are essential and desirable, and can make a meaningful difference to the well-being of local residents. Restrictions to availability are also pro-equity, given the unequal distribution of off-licences to the most deprived areas.

### Trading hours - closing

51. Alcohol Healthwatch **supports** the reduced off-licence closing hour of 9pm. We commend the Council for proposing a closing hour two hours earlier than the national default maximum trading hours.
52. The Court of Appeal decision ([2021] NZCA 484) in relation to Auckland Council's Provisional Local Alcohol Policy stated that there was no onus on Authorities to justify departure from the national default hours:

[32] So far as trading hours are concerned, ss 43–45 establish no presumption in favour of the default hours and nothing in them requires that a local authority justify departure from those hours. The default hours are merely those that apply if a territorial authority has chosen not to establish a local alcohol policy.

53. The decision by the Alcohol Regulatory and Licensing Authority (ARLA) on Auckland Council's Provisional Local Alcohol Policy ([2017] NZARLA PH 247-254), the Authority did not consider that the closing hour restriction of 9pm was unreasonable in light of the object of the Act (see paragraph 146).<sup>33</sup>
54. New Zealand research has shown that the purchase of alcohol from an off-licence premise after 10pm was approximately twice as likely to be made by heavier drinkers.<sup>34</sup>
55. New Zealand research published this year demonstrated the positive impacts of reduced trading hours on alcohol harm among young people.<sup>35</sup> The introduction of the default maximum trading hours in New Zealand in 2013, which saw all bars and clubs close at 4am and no off-licence alcohol sales after 11pm, was found to be associated with a reduction in the number of assault-related hospitalisations by 11%. The decline was the largest among 15 to 29-year-olds (who made up more than half of those hospitalised), at 18%. There was also a reduction in the number of night-time assaults coming to Police attention.
56. While these results point to the role of very late trading hours on alcohol-related harm, we agree with the authors of the study who suggest that further reductions in trading hours could provide many benefits.
57. In Switzerland, the province of Geneva reduced their off-licence trading hours from 24 hours per day to 7.00am to 9.00pm, and also prohibited the sale of alcohol from petrol stations and video stores. An examination of the effect of the policy change to reduce the availability of alcohol demonstrated that it led to an estimated reduction in the rate of hospitalisation due to intoxication by 35.7% among 10-15 year olds, and a 24.6% reduction in 16-19 year olds.<sup>36</sup>
58. In the Swiss province of Vaud, the capital city of Lausanne reduced the trading hours for all shops (including liquor shops) such that they had to be closed between 8pm on Friday and Saturday and 6am the next morning. Two years later, the hours were reduced across the whole province with restaurants and off-licences selling beer and spirits (but not wine) being required to close between 9pm and 6am every night of the week. However, the shops in the city of Lausanne were still required to close at 8pm. An analysis of its effects found reduced hospitalisations for alcohol intoxication (by 29%) across all age groups in Lausanne. Again, the greatest reduction was found among those aged 16-19 years (56.4%), monotonically decreasing with age. However, as the absolute number of admissions for alcohol intoxication were higher in adulthood than adolescence, the estimated change in number of cases was also relevant to public health among 20–69-year-olds.<sup>37</sup>
59. In a province of Germany, trading hours for off-licences were reduced from 24 hours per day to 5am to 10pm. When compared to the control provinces, the policy resulted in 7% fewer hospitalisations for intoxication among adolescents aged 15-19 years.<sup>38</sup>
60. Given the evidence that sales restrictions in the evening are associated with reduced heavy drinking and adverse consequences (especially among young people), Alcohol Healthwatch **strongly supports** a closing hour of 9pm being implemented across the region and actively monitored.

61. Alcohol Healthwatch **recommends** that the opening and closing hours be listed as separate elements in the LAP. We believe this approach to trading hours in LAPs reduces the potential for appeals to the entire element.

*Trading hours - opening*

62. Alcohol Healthwatch **does not support** the proposed off-licence opening hour of 7am.
63. In regards to the early opening hour of 7am, we believe it is not unreasonable to require an off-licence premises to open after 10am.
64. Core hours for bottle stores and supermarkets in Scotland include an opening hour of 10am,<sup>39</sup> and although our average consumption is less than the Scots, we see no reason why a similar approach could not be adopted here.
65. Research in Russia showed that the introduction of later opening hours was associated with reduced alcohol use, but that the magnitude of the effects of restricting the closer hour was 3.5 to 4 times stronger than the effects of later opening hours.<sup>40</sup>
66. The purpose of the LAP is to minimise harm; one of the ways this can be addressed is through reducing the exposure of alcohol (and its advertising) to children on their journey from home to school.
67. Research has documented the association between exposure to alcohol advertising around schools and intentions to use alcohol among very young adolescents.<sup>41</sup> Exposure to in-store displays of alcohol may also predict an increased probability of drinking.<sup>42</sup> Existing and new outlets will pose a risk in relation to exposure to alcohol advertising.
68. Protecting the current generation (particularly vulnerable groups such as children) from harm can greatly assist in minimising future harm from alcohol use in the communities of the Western Bay of Plenty.
69. Furthermore, a later opening hour will restrict the accessibility of alcohol to those with an alcohol dependence. Social service providers in New Zealand have previously described to us the negative impact of early opening hours on persons with alcohol dependence.
70. Alcohol Healthwatch believes that there are many more positive benefits accrued from a later opening hour when compared to any loss of profits from the off-licence sector. Furthermore, economic imperatives regarding the chosen elements included in a LAP (e.g. justifying early opening hours using economic reasons) are not permitted.<sup>43</sup> Rather, minimising harm, and reflecting community views should be what determines the shape of a LAP.
71. It is important to note that 71.6% of persons surveyed in the Bay of Plenty District Health Board region in 2020 believed that 10am or later was a suitable opening time for bottle stores and supermarkets to start selling alcohol.<sup>13</sup>

*Issue of new licences*

72. Alcohol Healthwatch **supports** the proposed cap on bottle stores in the Te Puke-Maketu Ward. The Research Report clearly shows the clustering of outlets in the Te Puke township and levels of alcohol harm in the area.
73. Research in Manukau, Auckland, found that areas with a higher density of off-licences experienced lower prices of alcohol sold, longer operating hours, and later weekend closing times.<sup>44</sup> These factors are strongly associated with alcohol harm.

74. Further, there is an accumulating body of international evidence showing that off-licences are associated with greater levels of harm in deprived areas compared to least deprived areas.<sup>45-49</sup> Although two New Zealand studies did not find this relationship.<sup>50,51</sup> Research also shows that low income drinkers experience more harm per litre of alcohol consumed, when compared to higher income drinkers with the same level of drinking.<sup>52</sup>
75. Restrictions to the availability of alcohol are underpinned by a number of New Zealand studies demonstrating a significant association between off-licence density and a range of alcohol-related harms.<sup>50,51,53-55</sup>
76. As described previously, Māori and Pacific young males (15-24 years) have been found to be more negatively impacted by living close to alcohol outlets (note: all licence types combined).<sup>10</sup>
77. Alcohol Healthwatch **recommends** consideration is given to imposing a cap in other townships of the Western Bay of Plenty.
78. As an example, Horowhenua District Council Local Alcohol Policy<sup>56</sup> imposes a cap on the total number of off-licence bottle and grocery store premises in each town or township in the district.
79. Alcohol Healthwatch further **suggests** that the current provision of bottle stores in the region is likely to be sufficient to cater for predicted population growth. For this reason, we suggest that a cap on bottle stores (i.e. the number at the time the LAP is adopted) is placed across the entire region, as occurs in the Whanganui and Wairoa District Local Alcohol Policies.
80. Alternatively, the total number of bottle stores permitted in the Western Bay of Plenty district (or in townships), for the duration of the LAP, could be stated. This would set the maximum limit for bottle store numbers.

*Discretionary conditions*

81. Alcohol Healthwatch **recommends** the inclusion of discretionary conditions relating to off-licences in the LAP.
82. It is recognised that New Zealand's liquor laws already provide for licensing committees to include conditions on a licence on a case-by-case basis.
83. However, we believe that the inclusion of discretionary conditions in a LAP can provide transparency to both the licence applicant and the community as to expectations around the sale of alcohol. Conditions are especially important when outlets are located in vulnerable areas and/or near sensitive sites such as schools.
  - a) Discretionary conditions to restrict advertising and signage
84. In the 2020 Population Health and Wellbeing Survey, 59.5% of Bay of Plenty DHB residents supported restrictions to alcohol advertising and sponsorship.<sup>13</sup>
85. Alcohol Healthwatch **recommends** including a discretionary condition to control the amount of alcohol advertising that is visible, particularly within 500m from schools and early childhood facilities.
86. This year, ARLA issued the following signage and advertising conditions on an off-licence that was within 500m of a primary school and pre-school and nursery ([2021] NZARLA 123):

- (i) Signage shall be limited to displaying the store name and logo on the existing roof display.
  - (ii) No bright colours shall be used in the external decoration of the premises.
  - (iii) No specific product or price specials shall be displayed externally.
  - (iv) No external advertising shall be displayed by way of flags or sandwich boards outside the store.
87. From November 12, 2019, Ireland no longer permits alcohol advertising within 200m of schools, crèches, or council playgrounds.<sup>57</sup> The Western Bay of Plenty District Council could follow the leadership shown in Ireland and require (in the local alcohol policy) a similar provision to apply to licensed premises.
88. Harm from signage and advertising also extends to Western Bay of Plenty residents with alcohol use disorders. Research shows that heavy or problem drinkers can be more responsive to alcohol advertising and imagery (particularly of their favourite drink), placing them at risk of triggering alcohol use in relapse and maintaining alcohol dependence.<sup>58,59</sup>
89. It is suggested that reducing alcohol cues in outdoor advertisements (especially scenes showing drinking and/or alcohol products) could potentially reduce the occurrence of episodes of acute craving and cue reactivity in persons with alcohol dependence.<sup>59</sup>
90. Further, the Law Commission noted<sup>31</sup> that the pervasiveness of alcohol signs and advertising at liquor stores is likely to have a negative impact on community wellbeing. They stated that large obtrusive alcohol price advertisements and product branding on shop fronts, adjoining walls and sandwich boards is, in part, due to the pressure to compete with other liquor stores in a local community. They considered that the presence of this advertising can significantly lower the aesthetic value of an area, which in turn has flow-on effects for the community in terms of reduced amenity values and community welfare.
- b) Discretionary conditions to restrict single sales
91. Alcohol Healthwatch **recommends** discretionary conditions that restrict the sale of single alcoholic beverages (known as single sales). Restrictions on single sales can greatly assist compliance with liquor bans throughout the region and may reduce pre-loading or side-loading surrounding licensed premises.
92. Research has documented the association between single sales and alcohol-related violence and crime.<sup>60</sup> Furthermore, an intervention to reduce single sales was found to reduce rates of alcohol-related ambulance attendances among 15 to 24 year olds.<sup>61</sup>
93. Single units of alcohol are likely to be favoured by those who are heavy drinkers and also price sensitive; namely adolescents and young adults, and those with an alcohol dependence. Many off-licences include conditions prohibiting single sales. For example, the Auckland District Licensing Committee<sup>62</sup> imposed a condition on a licence that no single sales of:
- i. *Beer or ready to drink spirits (RTDs) in bottles, cans, or containers of less than 440mls in volume may occur except for craft beer; and*
  - ii. *Shots or pre mixed shots.*
94. Again, the ARLA decision in the case of a bottle store in Pleasant Point ([2021] NZARLA 123), the following condition on single sales was imposed:
- [157] No single sales of beer, cider, or RTDs priced at, or less than, \$6.00 per unit are to be sold.

95. The adopted Whanganui District Council Local Alcohol Policy has the following single sales condition:  
The licensee must not break down the retail packaging of packages containing less than 445ml units of beer, cider or RTDs for sale from the licensed premises, except where the retail packaging of those alcohol products has been accidentally damaged and in which case the licensee may re-package those alcohol products for sale in packages containing no less than 4 units.
96. We see no reason why this provision cannot be included as a discretionary condition within the proposed Local Alcohol Policy.
- c) Discretionary conditions that relate to the type of product sold and/or its price
97. Alcohol Healthwatch **suggests** that discretionary conditions that relate to the type of product sold and/or its price should be considered.
98. In a recent decision by the Auckland DLC regarding a new off-licence, the DLC outlined conditions (see paragraph 136)<sup>63</sup> around types of products, pricing, and advertising.
- (h) *No sales of:  
RTDs 7% abv or above  
No RTDs over 500ml  
Shots  
Light spirits (being spirits under 14% ABV)  
Single sales from packs  
Cask wine*
  - (i) *RTD pricing as follows:  
No RTD 4 pack below \$12.99  
No RTD 6 pack below \$16.99  
No RTD 10 or 12 pack below \$26.99  
No RTD 18 pack below \$36.99*
  - (j) *External advertising on the front window is limited to a maximum of 25% and the name/brand of the store.*
  - (k) *There will be no advertising of alcohol products or brands outside the premises (apart from the trading name of the premises), such as (but not limited to) sandwich boards, billboards, flags, or similar forms of advertising.*
  - (l) *There will be no floor displays inside the premises.*
99. Discretionary conditions that relate to the type of product sold and/or its price should be considered by the Western Bay of Plenty District Council.

### **Sensitive sites**

100. Should a township-based or district-wide cap on off-licences not be supported, Alcohol Healthwatch **does not support** the lack of protections in the proposed LAP that are provided in section 77(1(b)) of the Sale and Supply of Alcohol Act 2012 (“location of licensed premises by reference to proximity to premises of a particular kind or kinds”).
101. Alcohol Healthwatch believes that every Council should consider offering protection from new licences (of any type) opening in close proximity to a variety of sensitive sites,

including but not limited to, early childhood centres, primary and secondary schools, playgrounds, parks and reserves, Marae, health facilities, alcohol treatment centres, and places of worship.

102. Alcohol Healthwatch **recommends** that consideration be given to decisions on new licences intending to locate within at least 100m of sensitive sites. The Horowhenua District Council Local Alcohol Policy<sup>56</sup> prohibits the issue of new bottles stores within 100m of sensitive sites.
103. Alcohol Healthwatch would not support a 50m restriction (as evident in other local alcohol policies around the country) as our experience working with communities throughout New Zealand to support them in their licensing objections demonstrates that 50m is simply too restrictive. This approach usually means that the provision is only applied to sensitive sites that are directly next door or directly across the road. Sensitive sites that are slightly further away are neglected from this protection.

### On-licence hours

104. Of the mechanisms available in a LAP, restricting the trading hours of licensed premises is likely to have one of the greatest impacts on reducing harm.<sup>64,65</sup> This is because a consistent and strong body of high-quality evidence has demonstrated the impact of on-licence trading hours on alcohol-related harm.
105. Alcohol Healthwatch **supports** the on-licence trading hours of 9am to 1am.
106. Alcohol Healthwatch **recommends** that the opening and closing hours be listed as separate elements in the LAP. We believe this approach to trading hours in LAPs reduces the potential for appeals to the entire element.
107. Alcohol Healthwatch **supports** the discretionary conditions for on-licences in the proposed LAP.
108. Alcohol Healthwatch **suggests** that Section 5.2.2 of the proposed LAP is amended to make it clear that the provision only relates to special licences.

### Club licences

109. Club licences, in particular those held by sports clubs, have been shown in research to contribute to the risky drinking behaviours among participants at the club.<sup>66</sup>
110. In addition, club licence density in New Zealand has been shown to be significantly associated with higher levels of violence and a range of alcohol-related offences.<sup>51,67</sup> In New Zealand, the effects of club licence density on violence are shown to be **stronger in areas with low populations (e.g. rural areas)**.<sup>51</sup> Analysis of Pasifika youth drinking patterns in New Zealand found that participation in a sports team or club outside of school was independently associated with increased risk of binge drinking.<sup>68</sup>
111. Alcohol Healthwatch **does not support** the proposed cease of trading of 1am for club licences, Monday to Sunday. We **recommend** a 12am closing hour.
112. Club licences have fewer obligations than on-licences, as they are afforded some leniency under the Act. For this reason, club licences should not have the same privileges as on-licence taverns, without operating under the same conditions as these premises. Clubs seeking a level playing field with taverns should seek a tavern licence.

113. Alcohol Healthwatch **recommends** that the opening and closing hours be listed as separate elements in the LAP. We believe this approach to trading hours in LAPs reduces the potential for appeals to the entire element.
114. Alcohol Healthwatch **supports** the discretionary conditions for club licences.

### Special licences

115. Alcohol Healthwatch **recommends** that maximum trading hours for special licences be specified in the LAP. We recommend a 3am maximum closing hour.
116. Alcohol Healthwatch **supports** the discretionary conditions for special licences.
117. Alcohol Healthwatch **recommends** a discretionary condition for any event with over 1000 attendees (or as otherwise considered appropriate), to require an Event Alcohol Risk Management Plan.
118. Alcohol Healthwatch **recommends** the Council adopt special licence provisions that protect children in the region, mirroring the approach used in Wairoa. The Wairoa District Council Local Alcohol Policy requires that:
- Licences will not be granted for child-focussed events. A child focussed event is an event that is centred around minors. This includes but is not limited to galas, children's sports games, school kapa haka events, etc.
119. The Population Health and Wellbeing Survey 2020 showed that only 14% of Bay of Plenty DHB residents agreed with the statement "It's OK for alcohol to be available at events held on school grounds (e.g., galas and fundraisers)".<sup>13</sup>

### Monitoring, evaluation, and review

120. Alcohol Healthwatch **recommends** the Council develop a monitoring and evaluation plan for the LAP. It is important that monitoring occurs throughout the six-year duration of the LAP, with results regularly reported to Council.
121. Alcohol Healthwatch suggests to every Council to include a broad range of indicators in a monitoring and evaluation plan, e.g.:
- number/rate of alcohol-related police events (e.g. drunk custodies, breach of liquor ban, late night assaults, drink-drive offences);
  - alcohol-related Emergency Department presentations, wholly-alcohol attributable hospitalisations, ambulance pick up data;
  - crash-analysis data (single, night time vehicle crashes);
  - alcohol consumption data (annual New Zealand Health Survey)
  - feedback from community members and local enforcement agencies (licensing inspectors, Medical Officer of Health, and Police).
122. Whilst the Western Bay of Plenty Research Report includes many of these indicators, we note the absence of Emergency Department data on alcohol-related presentations. We **recommend** that the Council advocate strongly to the DHB regarding the importance of this regular data collection. Many DHBs throughout New Zealand are routinely collecting, reporting on, and publishing data on alcohol-related Emergency Department presentations.

123. However, Alcohol Healthwatch **recommends** a cautious approach to interpreting monitoring and evaluation data. Changes in reporting practices around alcohol-related Emergency Department presentations, for example, could indicate a higher number of presentations due to more consistent data collection practices. Some indicators may require a longer lead time before harm reductions become detectable, for example alcohol-related chronic diseases may take a long time to show any change. However, some alcohol-related chronic diseases (e.g. gastritis) may be more responsive to short term changes in the regulation of licensed environments.
124. As stated earlier, the pandemic will greatly affect alcohol use in the coming years. Having up-to-date data is essential to monitor trends in alcohol harm, with the option to bring a review of the LAP forward if necessary.

### Alcohol Control Bylaw

125. Alcohol Healthwatch **supports** extending the public alcohol ban zone to the whole of Te Puke, not just the town centre.

### Conclusion

126. Alcohol Healthwatch **supports** the Council in proposing restrictions to the availability of alcohol in the Western Bay of Plenty region.
127. We encourage Council to consider additional controls to cap the number of off-licences in identified townships or across the region.

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Submission 125

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**From:** Omokoroa Bowling Club  
**Sent:** Sunday, 5 December 2021 5:09 PM  
**To:** Matthew Leighton <Matthew.Leighton@westernbay.govt.nz>  
**Subject:** Re: Closes 6 December - Western Bay of Plenty Alcohol Review

Hi Matt

Thank you for the reminder.

Our club has happy with the position and has no input to the changes.

Cheers

Rodger Broomhall, Secretary

On 25/11/2021 09:54 Matthew Leighton <[matthew.leighton@westernbay.govt.nz](mailto:matthew.leighton@westernbay.govt.nz)> wrote:

Kia ora,

Just a quick reminder that consultation closes on the 6<sup>th</sup> December. Just over a week left to have your say.

We are keen to hear your thoughts on the proposed changes to the Local Alcohol Policy and Alcohol Control Bylaw.

Visit [www.haveyoursay.westernbay.govt.nz/alcohol-review](http://www.haveyoursay.westernbay.govt.nz/alcohol-review) for more information and to submit.

If you have any questions, please feel free to get in touch.

Kind regards,

## Matt Leighton

Senior Policy Analyst

Kaitātari Matua Kaupapa Here



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Submission 12\*



3<sup>rd</sup> December 2021

Email: [haveyoursay@westernbay.govt.nz](mailto:haveyoursay@westernbay.govt.nz)

**Local Alcohol Policy Review**

Western Bay of Plenty District Council  
Private Bag 12803  
Tauranga 3143

**Submission to the Western Bay of Plenty District Council on Local Alcohol Policy and Alcohol Control Bylaw Review**

**Organisation Name:** Cancer Society Waikato Bay of Plenty Division Inc.

**Postal address:** 111 Cameron Road, Tauranga 3110

**Email:** [katemason@cancersociety.org.nz](mailto:katemason@cancersociety.org.nz)

**Contact Person:** Kate Mason, Health Promotion Coordinator

**Ph:** 027 880 5687

**Signed:**

Shelley Campbell, Chief Executive, Waikato Bay of Plenty Cancer Society

**Date:** 3<sup>rd</sup> December 2021

**Introduction:**

Waikato Bay of Plenty Cancer Society sincerely thank Western Bay of Plenty District Council and welcome the opportunity to provide feedback on the proposed changes to the Local Alcohol Policy and Alcohol Control Bylaw.

Waikato Bay of Plenty Cancer Society is a division within the Cancer Society New Zealand federation that works across the cancer continuum including health promotion, supportive care, provision of information and resources, and funding of research. Cancer is New Zealand's single biggest cause of death.

**Alcohol use and the cancer link:**

Waikato Bay of Plenty Cancer Society continually advocates alcohol is a key cause of preventable cancers and is conscious few New Zealanders are aware of the harmful impact of alcohol use.



Alcohol is a Group 1 carcinogen like tobacco and asbestos and there is no safe level of alcohol consumption, in relation to cancer<sup>11</sup>.

Consistent international research has identified alcoholic products increase the risk of at least seven cancers including the mouth, pharynx, larynx, oesophagus, breast in women (pre- and post-menopausal), bowel, and liver<sup>12</sup>.

In New Zealand, breast cancer is the leading cause of death from alcohol among women<sup>3</sup> and makes up over 60% of alcohol-attributable deaths for both Māori and non-Māori women. Despite this, many New Zealanders are not aware of the risk associated with drinking alcohol and cancer<sup>11</sup>. Māori are disproportionately affected by alcohol-attributable cancer with Māori 2.5 times more likely to die than non-Māori and suffering a greater average loss of healthy life<sup>2</sup>. Reducing population alcohol consumption could prevent about 6% of all cancer cases<sup>7</sup>.

Alcohol is readily available, affordable, and widely promoted in digital media, in our neighbourhoods and more so in low-socioeconomic areas<sup>5</sup>. This significantly contributes to the inequitable distribution of poor health, and death, including from alcohol-attributable cancers<sup>6</sup>.

There is strong national and international evidence that suggests policies which address alcohol availability, affordability and marketing are the most cost-effective ways to reduce inequities through a reduction in consumption, and therefore a reduction in alcohol attributable harm, including cancer deaths<sup>10</sup>.

**Proposed policy changes:**

**Should alcohol stores (off-licences include grocery stores and supermarkets) stop selling alcohol at 9pm (not 10pm) across the Western Bay of Plenty?**

Yes. Waikato Bay of Plenty Cancer Society support a reduction of off-licence stores opening hours, ensuring they stop selling alcohol at 9pm (not 10pm) across the Western Bay of Plenty. This would support our recommendation of making alcohol less available.

In New Zealand, approximately 75% of all alcohol is sold from off-licences (43% from bottle stores, 32% from supermarkets)<sup>7</sup>. Restricting off-licence supply of alcohol is therefore very important in terms of reducing alcohol supply and consequent harm.

**Should there be a cap on the number of bottle stores across the Te Puke-Maketu ward?**

Yes, the greater the exposure to alcohol where young people can be influenced is a key factor for restriction. A cap on alcohol stores would better protect tamariki, reduce alcohol harm within the community including less alcohol attributable cancers, and de-normalise alcohol use.

The Te Puke - Maketu ward have a high volume of bottle stores in the area, with approximately 17 on-licence suppliers, and approximately 9 off-licence suppliers. This is concerning, as the Te Puke - Maketu Ward has a socioeconomic deprivation level of 7-9, and higher levels of socioeconomic deprivation are associated with poorer health outcomes<sup>4</sup>.

Additionally, the more alcohol outlets in an area, the more likely hazardous drinking is to occur and therefore, more harm. High numbers of outlets in an area have been found to increase alcohol-related harms such as violence, assault, drink driving, and child abuse. This applies to both off- and



on-licences. A high concentration of alcohol outlets is also associated with heavy drinking among adolescents<sup>1</sup>.

High numbers of outlets may increase harm through:

- 1) increasing the accessibility of alcohol (reducing time/distance to access alcohol),
- 2) increasing price competition which lowers the price of alcohol,
- 3) decreasing the amenity and good order in a community.

Outlets also present problems in terms of harmful exposure to alcohol advertising<sup>8</sup>.

In New Zealand, areas of low income have been found to have more liquor outlets than those of higher income<sup>9</sup>. Research also shows young Māori and Pacific males (i.e. 15-24 years) and young European females are more vulnerable to the effects of living in close proximity to alcohol outlets and communities with a high number of outlets, respectively<sup>1</sup>.

The image below shows two liquor stores on the main street of Te Puke (Jellicoe Street) which are located within less than 80m of each other.





The image below shows a mural of a local primary school, which is located on the back of a pub in Te Puke. This is concerning, as it normalises alcohol consumption, and indicates a connection between a local pub and a local primary school.



**Proposed Bylaw change:**

**Should the public alcohol ban zone (Alcohol Control Area) extend to the whole of Te Puke, not just town centre?**

Waikato Bay of Plenty Cancer Society supports the proposed changes to the Alcohol Control Area, as we believe they would serve to reduce alcohol-related harm in the Te Puke community. Extending the ban to the proposed wider area of Te Puke, instead of just the town centre will allow the Police to better avert potential trouble that may arise from drinking in public places at any time of the day.

The Waikato Bay of Plenty Cancer Society recommends the Western Bay of Plenty District Council ensures any liquor control bylaws are accompanied by the appropriate signage and actively enforced.



**Other suggestions:**

The Waikato Bay of Plenty Cancer Society recommends the proposed changes are supported by the development and implementation of a comprehensive alcohol-related harm reduction plan for the Western Bay of Plenty district. This would include measures to address reducing health inequities through outlet density and the location of outlets, opening hours, and marketing/advertising of liquor.



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**KĀINGA TUPU TASKFORCE**  
**SUBMISSION TO WESTERN BAY OF PLENTY DISTRICT COUNCIL**  
**REVIEW OF ALCHOL POLICY & ALCOHOL CONTROL BYLAW**

**Introduction**

The Kāinga Tupu: Growing Homes Taskforce appreciates the opportunity to submit to the Western Bay of Plenty District Council (WBOPDC) review of Alcohol Policy and Alcohol Control Bylaw. For further contact please email the Kāinga Tupu Taskforce Secretariat: [wbohomelessstrategy@gmail.com](mailto:wbohomelessstrategy@gmail.com)

**About Kāinga Tupu: Growing Homes**

In March 2020 the Kāinga Tupu: Growing Homes strategy was launched to the wider homelessness sector across the western Bay of Plenty sub-region. The strategy was developed, drafted, and supported by stakeholders across the community sector. The strategy is intentionally not owned by any one organisation but reflects the collective aspirations of the sector.

The Kāinga Tupu: Growing Homes strategy is governed by the Kāinga Tupu Taskforce and coordinated by the Kāinga Tupu Advisor within the Community Development team of Tauranga City Council with financial support from a range of organisations represented on the Taskforce. Within the operational structure of the Kāinga Tupu: Growing Homes strategy, there are four key workstreams (supported by action groups) focussing on the strategic priority areas of: Prevention, Support, Supply and System Enablers.

**Overview of Strategy & Action Plan**

## Kāinga tupu – growing homes

**He taupua tangata, he kāinga tupu – A person supported to support oneself, a flourished home established**

Western Bay of Plenty homelessness strategy

**Vision**

Homelessness in the western Bay of Plenty is prevented where possible, or is rare, brief and non-recurring

**Mission**

As a sub-region, all residents have the right to housing that is warm, safe, habitable and affordable

**Strategic framework**

PREVENTION

+

SUPPORT

+

SUPPLY

+

SYSTEM ENABLERS



**Kāinga Tupu Taskforce Members**

- Accessible Properties NZ Ltd
- Bay of Plenty District Health Board
- BayTrust
- Department of Corrections
- EmpowermentNZ
- Kāinga Ora: Homes and Communities
- Member of Parliament (Labour)
- Ministry of Housing and Urban Development
- Ministry of Social Development
- New Zealand Police
- Ngāti Ranginui Iwi Society
- Tauranga City Council
- Te Pūni Kōkiri
- Under the Stars

**General Feedback - Proposed Changes to WBOPDC Alcohol Policy & Alcohol Bylaw**

The Kāinga Tupu Taskforce agrees with the sentiment of the Western Bay of Plenty District Council (WBOPDC) in that whilst alcohol is a part of New Zealand culture where the majority can drink responsibly, it is essential that we protect our vulnerable communities from harm. We are encouraged that WBOPDC have undertaken a review of current alcohol regulations with a harm reduction focus. Alcohol has significant detrimental impacts on health, social and cultural wellbeing outcomes in our community. For some groups in our community, these negative health outcomes are experienced at greater, and inequitable rates. There is a need to apply an equity lens when addressing the consumption of alcohol through harm reduction. The control of the sale, supply, distribution, and accessibility of alcohol (through addressing hours of operation, location & proximity, and online ordering systems) all play a significant part in reducing alcohol related harm and for many in our community levels of significant harm and addiction.

High levels of alcohol consumption, either in one-off occasions or sustained over time on many/ daily occasions further exacerbates other social harms within our community including but not limited to: social isolation, mental health, drug use/ dependency, relationship and/or family breakdown, debt, family harm, sexual harm and trauma. In addition, a common linkage is the ability for a person to remain in stable, long-term housing. Over-consumption and reliance on alcohol is a common experience for many of our whānau experiencing various levels of homelessness across the housing continuum. In particular, the negative impact on youth, Māori and people experiencing homelessness are of greatest concern as evidenced in the report “Alcohol in our lives – curbing the harm” prepared by the New Zealand Law Commission in 2010.

<https://www.lawcom.govt.nz/sites/default/files/projectAvailableFormats/NZLC%20R114.pdf>

Overall, the Kāinga Tupu Taskforce wishes to see continued alliance between Tauranga City Council and the Western Bay of Plenty District Council to allow for a unified (and less confusing) sub-regional approach. The Taskforce has also submitted to the Tauranga City Council on this matter.

**Specific feedback on the proposed WBOPDC Alcohol Policy changes**

PROPOSED CHANGES	COMMENTS
Off licence hours reduced. <i>Proposal - 7am to 9pm (currently 7am to 10pm).</i>	<ul style="list-style-type: none"> <li>- Agree that off-licence hours should be reduced and agree that 9pm is an acceptable and appropriate closing time.</li> <li>- Request the commencing time of 7am be reviewed as this has a negative impact on consumers who are drinking in harmful ways e.g street sleepers, and car sleepers.</li> </ul>



	<ul style="list-style-type: none"> <li>- Request that an opening hour of 9am to resident customers is applied. However, consideration for business-to-business sales from 8am to allow for deliveries to conduct business.</li> <li>- Request that consideration of business hours also apply to <b>online</b> off-licence and delivery sales including online alcohol orders and deliveries with meals (through on-licence premises).</li> </ul>
<p>No further bottle stores. <i>No further licences to be issued for premises in the Te Puke – Maketū ward.</i></p>	<ul style="list-style-type: none"> <li>- Agree with the proposed change for no further bottle stores in the Te Puke-Maketū ward and commend the strong stance and message that this sends in regards to prioritising community wellbeing over economic profit.</li> <li>- Request that similar consideration is given to the remaining western Bay of Plenty sub-region.</li> </ul>
<p>Clarity for club licences. <i>Provision of increased visibility and clarity for club licences.</i></p>	<ul style="list-style-type: none"> <li>- Agree with the proposed changes.</li> <li>- Encourage a requirement for club/bar staff involved in the sale and supply of alcohol to undertake training in harm minimisation, host responsibility, and de-escalation.</li> </ul>
<p>Western Bay of Plenty District focused. <i>Stand alone policy separate from Tauranga City Council.</i></p>	<ul style="list-style-type: none"> <li>- We encourage alignment between the two TLA Alcohol Policies given that residents work and socialise across the sub-region and given that many off-licence premises have ownership of chain stores across the sub-region. Alignment between the TLA Alcohol Policies also discourages ‘bar hopping’ around the district to chase later licensing hours as we see between Mount and Tauranga.</li> </ul>
<b>OTHER CONSIDERATIONS</b>	<b>COMMENTS</b>
<p>Stricter consideration on proximity and location of bottle stores across the WBOP region.</p>	<ul style="list-style-type: none"> <li>- We request stronger consideration for the location of off-licence premises in proximity to schools, school bus routes, public housing (emergency, transitional and social housing), community centres and marae given the inequitable outcomes associated with alcohol consumption for youth, Māori and people experiencing homelessness.</li> </ul>
<p>Restrictions on the sale of single serve alcoholic beverages.</p>	<ul style="list-style-type: none"> <li>- We request strong restrictions on the sale of single serve alcoholic beverages through off-licence premises (including online orders and deliveries). We believe this negatively impacts on youth, Māori and people experiencing homelessness.</li> </ul>
<p>Introduction of discretionary conditions for off-licence premises</p>	<ul style="list-style-type: none"> <li>- We note that in the draft WBOP Alcohol Policy that there are no discretionary conditions imposed on off-licence premises. We request that discretionary conditions are introduced into the policy for off-licence premises (including online ordering) to ensure that a harm minimisation focus is applied.</li> </ul>
<p>Introduction of Off-Licence Accord</p>	<ul style="list-style-type: none"> <li>- Consider the introduction of an Off Licence Accord - a partnership between retailers, council and regulatory enforcement to promote the responsible sale of alcohol within the western Bay of Plenty areas, with the aim of reducing the incidences of alcohol related harm.</li> </ul>
<p>Notification requirements to local Iwi</p>	<ul style="list-style-type: none"> <li>- We support the submission of Ngāi te Rangi and agree that an introduction of an automated notification system to Iwi be applied for any new licence applications.</li> </ul>



### Specific feedback on the proposed WBOPDC Alcohol Control ByLaw changes

<i>PROPOSED CHANGES</i>	<i>COMMENTS</i>
Increase in the size of the Alcohol Control Area in Te Puke.	<ul style="list-style-type: none"> <li>- Agree with the proposed changes to expand the area to cover the entire urban area of Te Puke.</li> <li>- Encourage the inclusion of 'special areas' for inclusion such as parks and/or reserves which are frequently used by rough sleepers and car sleepers that fall outside of the proposed mapped areas.</li> <li>- Consideration for Alcohol Control areas in WBOP areas not currently included in the draft Bylaw if evidence suggests a growing need, e.g. Maketū, Omokoroa, and Te Puna.</li> </ul>



Level 1, BNZ Centre, 120 Hereford Street, Christchurch 8011

6 December 2021

Local Alcohol Policy and Bylaw Review  
Western Bay of Plenty District Council  
Private Bag 12803  
Tauranga 3143

To Whom It May Concern

**Western Bay of Plenty Local Alcohol Policy Review**

Thank you for providing the opportunity for Te Hiringa Hauora/Health Promotion Agency to comment on the Western Bay of Plenty District Council Local Alcohol Policy (LAP) review.

**Te Hiringa Hauora wishes to speak to this submission.**

## INTRODUCTION

Te Hiringa Hauora has the statutory function of giving advice and making recommendations on the sale, supply, consumption, misuse and harm from alcohol. Since 1 July 2012 Te Hiringa Hauora assumed the functions of the former Alcohol Advisory Council of New Zealand, Health Sponsorship Council and some functions of the Ministry of Health.

Te Hiringa Hauora encourages councils to review their LAPs and to undertake wide engagement with the community as part of that review. A review offers an opportunity to assess whether the current LAP is meeting its policy objectives, and it provides a further opportunity for the community to become involved in how alcohol is sold in their neighbourhoods.

The object of the Sale and Supply of Alcohol Act 2012 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<sup>1</sup>. LAPs play an important role in meeting these objectives and provide councils with a mechanism to reflect the needs of their community and to minimise the harm caused by alcohol in the region.

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<sup>1</sup> Sale and Supply of Alcohol Act 2012. <http://www.legislation.govt.nz/act/public/2012/0120/84.0/DLM3339333.html>

Overall, we congratulate the Western Bay of Plenty District for listening to community concerns, and we encourage the Council to make improvements so that the LAP better meets the policy goals and objectives.

## LAP REVIEW

The draft policy was easy to read and the content was easy to understand. A clear, concise policy will not only be easier for your community and licensees to understand, but will also be more useful to your District Licensing Committee (DLC).

We would like to commend the Western Bay of Plenty District Council on its background report. Te Hīringa Hauora is aware that many councils are finding it difficult to source good data, especially local data. Given these constraints we note that Western Bay of Plenty has provided useful information to inform the review of the LAP. It is also apparent that the council has engaged with relevant partners and accessed relevant data to assist with the review.

## OFF-LICENCES

### *Maximum licenced hours*

Te Hīringa Hauora encourages territorial authorities to set maximum trading hours that are appropriate for the location, minimise harm, and take into account the views of the community. Off-licences contribute to community harm, and are responsible for the majority of alcohol sales in communities. Alcohol from off-licences is cheaper, easily accessed, and the consequential harms often occur in homes, and are often hidden.

There is evidence that harm is reduced by limiting off-licence trading hours<sup>2</sup>. There are also suggestions from recent research that limiting off-licence trading hours after 9pm may reduce harm<sup>3,4</sup>. Your own Police data confirms that 75% of crimes committed between 9.00pm and 6.00am are estimated to be alcohol-related<sup>5</sup>.

Many councils that have developed LAPs have taken the opportunity to limit off-licence availability, with many now restricting hours of sale to no later than 9pm<sup>6</sup>. Te Hīringa Hauora therefore supports Western Bay of Plenty's revised off-licence hours of sale.

We also support consistent hours of sale across all off-licences types.

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<sup>2</sup> Health Promotion Agency (2017). Alcohol off-licence purchases and subsequent harm. Wellington: Health Promotion Agency.

<sup>3</sup> Sherk A, Stockwell T, Chikritzhs T, Andréasson S, Angus C, Gripenberg J, Holder H, Holmes J, Mäkelä P, Mills M, Norström T, Ramstedt M, Woods J. (2018). Alcohol Consumption and the Physical Availability of Take-Away Alcohol: Systematic Reviews and Meta-Analyses of the Days and Hours of Sale and Outlet Density. *J Stud Alcohol Drugs*. 2018 Jan;79(1):58-67.

<sup>4</sup> Atkinson J.A., Prodan A., Livingston M., Knowles D., O'Donnell E., Room R., Indig D., Page A., McDonnell G. & Wiggers J. (2018) Impacts of licensed premises trading hour policies on alcohol-related harms. *Addiction*. 2018 Jul;113(7):1244-1251. doi: 10.1111/add.14178. Epub 2018 Mar 2.

<sup>5</sup> Western Bay of Plenty District Council (2021). Mā tō tātou takiwā: For our District Local Alcohol Policy Review Research Report. Western Bay of Plenty: Western Bay of Plenty District Council

<sup>6</sup> Jackson, N. (2016). A review of Territorial Authority progress towards Local Alcohol Policy development. Auckland: Alcohol Healthwatch

### *Density provisions*

The overwhelming majority of New Zealand<sup>7,8</sup> and international studies<sup>9</sup> find that the more alcohol outlets of all types there are in a region the more evidence there is of crime and violence. The evidence also shows that the demographic make-up of the area is a factor in the strength of this association<sup>10</sup>.

When off-licensed premises cluster together, particularly in low income suburban areas, competition between outlets has been found to lead to lower prices, longer opening hours, and later weekend closing times<sup>11</sup>, which stimulates demand and contributes to alcohol-related harm. There is a broad range of alcohol-related harms, including domestic violence, anti-social behaviour, sexual offences and other alcohol-related harms<sup>12,13</sup> linked to high density of off-licences.

Overall, the evidence behind outlet density contributing to alcohol-related harm is strong. We therefore support councils to utilise tools that will assist with limiting the numbers of outlets. A number of councils around New Zealand have developed measures for limiting density within their draft LAPs, especially in communities where there is already high community stress and/or alcohol-related harm. Te Hiringa Hauora supports the implementation of a freeze on new bottle stores in the Te Puki – Maketu Ward area, but we encourage Western Bay of Plenty to consider a wider policy around limiting further off-licences across the district, especially in areas where the population is growing, there is deprivation, or there are already high numbers of alcohol premises, especially off-licences.

### **Recommendation**

1. That the council considers a wider policy around limiting off-licences across the district.

### *Discretionary Conditions*

We note that discretionary conditions have not been included for off-licences. Given the high levels of harm that can occur from alcohol sold from off-licences, we encourage the Council to think about

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<sup>7</sup> Cameron, M.P., Cochrane, W., Gordon C., & Livingston M. (2016a). Alcohol outlet density and violence: a geographically weighted regression approach. *Drug and alcohol review*

<sup>8</sup> Cameron, M.P., Cochrane, W., Gordon C., & Livingston M. (2016b). Global and locally-specific relationships between alcohol density and property damage: Evidence from New Zealand. *Australasian Journal of Regional Studies*, *The*, 22(3), 331.

<sup>9</sup> Taylor N., Miller P., Coomber K., Mayshak R., Zahnow R., Patafio B., Burn M. & Ferris J. (2018) A mapping review of evaluations of alcohol policy restrictions targeting alcohol-related harm in night-time entertainment precincts. *Int J Drug Policy*. 2018 Dec;62:1-13. doi: 10.1016/j.drugpo.2018.09.012. Epub 2018 Oct 19.

<sup>10</sup> Cameron, M. P., Cochrane, W., Gordon, C., & Livingston, M. (2013). *The locally-specific impacts of alcohol outlet density in the North Island of New Zealand, 2006-2011*. Research report commissioned by the Health Promotion Agency. Wellington: Health Promotion Agency.

<sup>11</sup> Cameron, M.P., Cochrane, W., McNeill, K. Melbourne, P., Morrison, S.L., Robertson, N. (2010b). *The spatial and other characteristics of liquor outlets in Manukau City: The impacts of liquor outlets report no.3*. Wellington: Alcohol Advisory Council of New Zealand.

<sup>12</sup> Livingston, M 2008, 'A longitudinal analysis of alcohol outlet density and assault, *Alcoholism: Clinical and Experimental Research*, vol. 32, no. 6, pp. 1074-9.

<sup>13</sup> Livingston, M 2013, 'To reduce alcohol-related harm we need to look beyond pubs and nightclubs', *Drug and Alcohol Review*, vol. 32, no. 2, p. 113-14.

adding discretionary conditions for off-licences as well. A number of licences now have conditions around:

- not stocking particular cheap, high alcohol products
- limits on selling single beers, ciders, RTDs and single shot products
- limits on store colours, and requirements around security and lighting in and outside of the store
- the placement of particular products eg, not in doorways
- limits on advertising and signage
- stores being closed during times when children are coming and going from school.

An indicative list does not fetter the discretion of the DLC to impose ‘...any reasonable condition’ on a licence as set out in section 117(1) of the Act, and is very helpful in cases where reporting agencies or members of the public may be asked by the DLC to consider what conditions they think might minimise any negative impacts if the licence were to be granted. Te Hiringa Hauora believes that carefully considered licence conditions can be an effective measure to promote the safe, responsible sale and supply of alcohol and to minimise the harm caused by its excessive or inappropriate consumption in line with the object of the Sale and Supply of Alcohol Act 2012.

#### **Recommendation**

2. That the council add discretionary conditions for off-licences

### **ON-LICENCES**

Te Hiringa Hauora supports the current on-licence trading hours within the current LAP (9.00am – 1.00am).

However, we note that the one-way door policy states that it will come into effect from 2am. We suggest that the one-way door policy comes into effect at midnight. As the New Zealand Police have mentioned, this will assist them to further minimise alcohol-related harm caused by the excessive or inappropriate consumption of alcohol.

#### **Recommendation**

3. That the one-way door policy is updated to reflect the new on-licence trading hours.

### **CLUB LICENCES**

Clubs are not immune to high levels of harm. They often attract young people, provide cheap alcohol, and are sometimes located in areas where there are limited transport options. Te Hiringa Hauora encourages territorial authorities to consider limits on club trading hours and to ensure that the LAP aligns with the actual hours generally being utilised by clubs. We note that only nine out of 25 clubs have licensed hours to 1.00am and it is unclear how often these nine clubs actually trade to 1.00am. Clubs are not taverns and therefore it is unusual for them to have the same trading hours. Te Hiringa Hauora suggests that restricting trading hours to midnight might be more

appropriate, and if on occasion a club would like to trade later for an event, a special licence can be applied for.

### **Recommendation**

4. That the council consider restricting trading hours to midnight for club licences.

## **OTHER CHANGES TO CONSIDER**

### *Separate elements for trading hours*

It may be useful to consider separating trading hours into two elements for each type of premises eg, making the onset of trading hours and the end of trading hours separate elements. This will save the whole element being deemed unreasonable if it is appealed to ARLA, but ARLA finds only a part of it unreasonable. This was the situation in the Auckland Provisional LAP appeal<sup>14</sup>.

### *Sensitive Sites*

Te Hiringa Hauora notes that the reviewed policy has no provisions relating to sensitive sites. The Law Commission's consultation found that communities feel strongly about the location of premises where alcohol is sold<sup>15</sup>. The purpose of policies around location are to protect the most vulnerable and to limit the growth of premises in areas that have sensitive sites. Therefore, Te Hiringa Hauora is disappointed that the council has not considered the location of licensed premises by reference to proximity to facilities of a particular kind or kinds in its revised policy.

The majority of draft LAPs (62%) have contained restrictions on licensed premises around sensitive sites<sup>16</sup>. Types of policies include: requiring impact reports; requiring the DLC to consider sensitive sites in their decision making; consulting neighbours; and limiting new premises within close proximity (next door, over the road or 40m to 500m). The most common examples of sensitive sites in draft policies include schools or education facilities, early childhood centres, playgrounds, places of worship, recreational facilities, health facilities, alcohol treatment centres, marae, community facilities, high crime areas and high deprivation areas.

### **Recommendations**

5. That the council separate trading hours into separate elements within the LAP
6. Te Hiringa Hauora recommends that the council includes a policy on sensitive sites covering location of licensed premises by reference to proximity to sites or facilities of a particular kind or kinds.

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<sup>14</sup> Redwood Corporation Limited vs Auckland City Council [2017] NZ ARLA PH 247-254 sections 158-159.

<sup>15</sup> Law Commission. (2010). *Alcohol in our Lives: Curbing the Harm: A report on the review of the regulatory framework for the sale and supply of liquor*. Wellington: Law Commission.

<sup>16</sup> Jackson, N. (2016). *A review of Territorial Authority progress towards Local Alcohol Policy development*. Auckland: Alcohol Healthwatch

## CONCLUSION

Once again, thank you for the opportunity to comment on the review of the Western Bay of Plenty LAP. Please do not hesitate to contact Cathy Bruce, Principal Advisor Alcohol, e-mail [c.bruce@hpa.org.nz](mailto:c.bruce@hpa.org.nz), phone 03 963 0218 if you would like to discuss any parts of this submission further.

Yours sincerely



Derek Thompson  
**Manager Alcohol Policy & Advice**

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Submission 129

**foodstuffs**  
NORTH  
ISLAND

6 December 2021

Local Alcohol Policy Review  
Western Bay of Plenty District Council  
Private Bag 12803  
Tauranga 3143

By email [haveyoursay@westernbay.govt.nz](mailto:haveyoursay@westernbay.govt.nz)

Attn: Matthew Leighton

### **Submission on the Western Bay of Plenty District Council's Draft Local Alcohol Policy**

#### **Summary of submission**

Foodstuffs is the franchisor of the PAK'nSAVE, New World, Four Square and Fresh Collective brands. Foodstuffs is also the ultimate parent of Liquorland Limited, which is franchisor of the Liquorland brand. Foodstuffs takes many steps to ensure our stores are responsible retailers of alcohol.

Foodstuffs considers that the proposal to further restrict the maximum licensed trading hours for all off-licences, including supermarkets and grocery stores, is unreasonable and should be removed or amended.

#### ***Introduction***

Thank you for your email of 5 November 2021 to Foodstuffs North Island Limited (**Foodstuffs**). You have invited feedback in relation to the Western Bay of Plenty District Council's Draft Local Alcohol Policy (**DLAP**).

As you will know, Foodstuffs is the franchisor of various off-licensed supermarkets, grocery stores, and wholesalers under the PAK'nSAVE, Gilmours, New World and Four Square brands. Foodstuffs also has an ownership interest in Liquorland Limited. We write here on behalf of Foodstuffs and its stores.

Foodstuffs takes many steps to ensure our stores are responsible retailers of alcohol and we appreciate the opportunity to provide feedback on the current DLAP.

#### ***Who we are***

As proudly 100% Kiwi owned and operated businesses, the three Foodstuffs Co-operatives have grown from humble beginnings to become some of New Zealand's biggest grocery distributors. Our stores are active members of their communities and, as small, medium, and large employers, they continuously strive to give back by sponsoring and giving support to a wide range of charitable initiatives, sports teams and schools.

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Foodstuffs' stores in the Western Bay of Plenty district are:

- Four Square Katikati
- Four Square Waihi Beach
- Four Square Te Puna
- Four Square Te Puke
- New World Te Puke

We may in the future open more stores in the Western Bay of Plenty district.

***Steps undertaken by Foodstuffs to ensure our stores are responsible retailers of alcohol***

Foodstuffs works hard to ensure that it, and every one of its stores, is a responsible seller of alcohol. As a business, we ensure our stores understand fully their obligations under the current legislation regarding the sale of alcohol.

Before a new employee can sell alcohol to customers, they must complete induction training which teaches the employee about their responsibilities under the Sale and Supply of Alcohol Act 2012 (**Act**). All employees must then undertake refresher courses which they must pass. There are voluntary online courses which store owners can recommend to their staff and, on occasion, Foodstuffs may require employees to complete this online course in addition to their mandatory training. After receiving training, staff are required to sign an acknowledgement stating that they understand their obligations under the Act.

All duty managers and operation managers are required to carry out their Licence Controller Qualification and Foodstuffs requires that all stores have at least two people who hold General Manager's Certificates, with supermarkets having a much larger number than this.

Our point of sale systems prompt the verification of age when an alcohol product is scanned. All stores have an 'Under 25: ID required' policy which requires any purchaser, and any member of a purchasing group, who looks under the age of 25 to provide proof of their age.

Additionally, we have an independent programme in place where all of our stores are 'mystery shopped' to ensure proof of age compliance is being adhered to. If there was to be any failure (whether uncovered by our internal programme or a Police controlled purchase operation), Foodstuffs imposes heavy penalties. These may include fines, additional training programmes, and referring repeat offenders to our Board of Directors which can result in a store owner's franchise agreement with Foodstuffs being terminated.

Due to the seriousness of the consequences of any alcohol audit failure, our store owners are vigilant in ensuring that the Act is adhered to, in particular the prohibitions on supply to minors and intoxicated persons.

***Off-licences***

Of course, our stores hold only off-licences.

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The DLAP currently contains a policy in respect of maximum off-licence trading hours (clause 5.1.1) and a policy restricting the issue of further off-licences for bottle stores in the Te Puke - Maketu Ward area (clause 5.1.2).

Maximum off-licence trading hours policy:

The joint Tauranga and Western Bay of Plenty District Local Alcohol Policy is currently in force in the Western Bay of Plenty district. It sets maximum trading hours for off-licensed premises (including bottle stores, grocery stores and supermarkets) to 7am to 10pm, Monday to Sunday.

The DLAP proposes to further restrict the maximum trading hours for all off-licensed premises within the Western Bay of Plenty district to 7am to 9pm, Monday to Sunday.

Foodstuffs is not aware of any evidence or reason that would justify the proposed reduction in maximum trading hours for all off-licensed premises, and particularly for supermarkets and grocery stores.

We note that the trading hours specified in a local alcohol policy are only the *maximum* possible. In any given case the District Licensing Committee can impose more restrictive hours when that is appropriate to address alcohol-related harm. There is no obligation to grant a licence with the full maximum permitted hours stated in a local alcohol policy. Therefore, the maximum hours stated in the DLAP should take into account the need to provide options and flexibility. They should be considered within the context of the district's *most* suitable and responsible licensees and the need to provide flexibility for future growth, development, and socio-economic and other changes in the region.

With respect to our off-licensed supermarkets and grocery stores, we note that most sales of alcohol occur when a customer is purchasing alcohol as part of a wider grocery shop. Those purchases are unlikely to be connected to excessive or inappropriate consumption. In addition, our supermarkets and grocery stores can only sell beer and wine, they cannot sell RTDs or spirits, and they are also subject to the 'Single Area Condition' limiting the location of, and therefore exposure to, alcohol in the store to a particular defined area. Foodstuffs considers that the limitations on the types of alcohol able to be purchased, together with the systems and training in place for its stores are particularly relevant, as products with a lower percentage of alcohol by volume are less likely to lead to excessive or inappropriate consumption and staff are well trained to prevent sales to underage or intoxicated persons.

We note that comments from local community boards at section 8.3 of the Council's Local Alcohol Policy Review Research Report (**Report**) included concerns that there were too few licensed supermarkets in the Western Bay of Plenty district and that a primary concern in the Report was with alcohol-related harm related to the operation and proliferation of bottle stores, rather than supermarkets and grocery stores. In particular, we note that the Licensing Inspector's feedback at appendix C of the Report concludes that bottle stores pose a higher risk to communities than supermarkets and that the current 10pm closing time restriction for

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off-licences is appropriate. We are not aware of any concerns being raised with the operation of our stores in the past.

We also note that our stores within the district do currently utilise the flexibility that is available with longer licensed trading hours despite generally closing earlier than 10pm. That additional flexibility allows our stores to deal with customer queues at check-outs around closing time as well as with managing the flow of customers during high-volume trading periods, such as the lead-up to Christmas or Easter, and the seasonal increases in population from holiday-makers and seasonal workers.

As noted in the Report at section 8.2, the Western Bay of Plenty district sees a significant population influx over the summer periods, with Waihi Beach catering to over 9,000 additional persons during that time. An influx of around 6,000 seasonal staff during April to June was also noted. Our Four Square and New World stores tend to occupy a smaller footprint than our PAK'nSAVE supermarkets in other districts and therefore find it more difficult to accommodate the huge influx of customers during those high-volume trading periods. In addition, with the on-going uncertainty with and variability of the restrictions on the operation of our stores as a result of the Covid-19 pandemic and, in particular, the focus on social distancing requirements, the additional flexibility provided by licensed trading hours that are longer than our store's usual trading hours is of real value to our stores and to responsible consumers of alcohol in the community. In short, the ability to adjust trading hours is an important way for our stores to cope with the significant differences in customer demand at different times of the year, while ensuring that residents and visitors have a great shopping experience in the Western Bay of Plenty.

We set out below for your reference the usual store trading and also licensed hours for our stores in the Western Bay of Plenty district.

Store	Store's usual trading hours (weekdays' maximum)		Store licensed trading hours	
Four Square Katikati	7am	8pm	7am	10pm
Four Square Waihi Beach	7am	8pm (10pm during the summer holiday period)	7am	10pm
Four Square Te Puna	6am	7.30pm	7am	9pm
Four Square Te Puke	6am	8pm	7am	9pm
Te Puke New World	7am	9pm	7am	10pm

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NORTH  
ISLAND

#### Other policies

Foodstuffs generally supports the position taken in the DLAP with respect to other conditions for off-licences and considers that further restrictions are not required.

In particular, the DLAP appropriately recognises that there is no universally consistent evidence that density of supermarkets and grocery stores is connected to alcohol-related harm or any particular types of harm. It also recognises that District Licensing Committees are highly capable of identifying and engaging with the local community in relation to particular locations where those kinds of off-licensed premises may not be appropriate given the connection between the location and the risk of alcohol-related harm, as well as identifying reasonable conditions to be imposed on an off-licence on a case-by-case basis.

However, we note, in relation to the proposed restriction on the issue of further off-licences for bottle stores in the Te Puke - Maketu Ward, that the policy as currently drafted would amount to a 'sinking lid' with no minimum acceptable limit. This may indirectly entrench the positions of existing licensees and therefore fail to encourage their replacement with more suitable and sophisticated operators. In any event, any restriction on the issue of more licences should be worded so that it does not inadvertently prevent existing businesses changing ownership (which always requires a new licence to be issued to the new owner).

Although not in the relation to off-licences, we note that there appears to be a typographical error at clause 5.3.3 in respect of discretionary conditions for club-licences.

#### **Other comments**

Foodstuffs appreciates the opportunity to provide its comments and the DLAP and commends the Western Bay of Plenty District Council for seeking to produce a DLAP which balances the needs of the community, local business, and other key stakeholders such as the Police and Medical Officers of Health, who each have differing perspectives and views on alcohol in the community.

We would be happy to provide further information or comment if that would assist at this stage. We also look forward to participating in the Councils' more formal consultation in due course.

Kind regards



Mike Brooker  
**General Counsel**  
**Foodstuffs North Island Limited**

**SUBMISSION ON WESTERN BAY OF PLENTY DRAFT LOCAL ALCOHOL POLICY**

**To:** Western Bay of Plenty District Council ("**Council**")

**Submitter:** General Distributors Limited ("**GDL**")

**Summary**

1. GDL welcomes the opportunity to submit on the Western Bay of Plenty Draft Local Alcohol Policy ("**Draft LAP**"). As an off-licence holder for two stores in the Western Bay of Plenty District, GDL has an interest in the matters raised in the Draft LAP.
2. GDL supports the use of local alcohol policies and the objectives of minimising alcohol related harm in the district. GDL acknowledges that local alcohol policies play an important role in providing certainty to both councils and licence holders about their obligations and that they can be an effective tool in ensuring safe consumption of alcohol.
3. GDL's submission is limited to comment on maximum hours for off-licences. GDL opposes the reduction of maximum hours for all off-licences as proposed in the Draft LAP on the basis that there has been no clear connection drawn between reducing the maximum hours supermarkets can sell alcohol and improvement of alcohol related harm in the district. The maximum hours proposed in the Draft LAP also mean licence holders like GDL can no longer utilise the ability to trade till 10.00pm during special key sales periods, which allows our staff to safely manage the influx of shoppers during these busy periods.

**GDL as an off-licence holder**

4. GDL's operations include over 180 Countdown supermarkets across New Zealand, as well as distribution centres and support offices. GDL is also the franchisor for both the Freshchoice and Supervalu supermarket brands across New Zealand.
5. As a holder of over 150 off-licences in New Zealand, GDL is an experienced licence holder and is committed to being a responsible retailer of alcohol. GDL acknowledges that it has a shared responsibility to prevent alcohol related harm and ensure that consumption of alcohol is undertaken safely and responsibly.
6. In the Western Bay of Plenty area, GDL holds two off-licences for the following supermarkets:
  - (a) Countdown Katikati, which has liquor trading hours of 7.00am – 10.00pm but has opening hours of 7.00am – 9.00pm (10.00pm during key sales periods); and
  - (b) Countdown Te Puke, which has liquor trading hours of 7.00am – 10.00pm but has opening hours of 7.00am – 9.00pm.

7. While GDL has seven other stores located in the Bay of Plenty region, these are within the Tauranga City Council's jurisdiction<sup>1</sup> which GDL understands will fall under the Tauranga City Council's local alcohol policy if this local alcohol policy proceeds as an individual policy, as proposed.

#### **Off-licence hours under the Draft LAP**

8. Under section 77 of the Act, the content of a LAP is restricted to the listed matters which includes maximum trading hours (section 77(1)(e)).
9. The Draft LAP proposes to reduce the maximum trading hours of off-licences from 7.00am – 10.00pm to 7.00am – 9.00pm.
10. The Draft LAP states that all supermarkets and grocery stores with an off-licence in the district currently close at 9.00pm or earlier.<sup>2</sup> Beyond that, there are no specific reasons or evidence provided in the consultation documentation and Local Alcohol Policy Review Research Report ("**Research Report**") as to why the trading hours for supermarkets should be reduced.
11. The Research Report concludes that there is continued harm from alcohol misuse in the community, specifically in the Te Puke area where there is a high level of alcohol related crime.<sup>3</sup> The Alcohol Licensing Inspector's Submissions provided in the Research Report state that there is a correlation between the products bottle stores sell and disorderly behaviour observed in Te Puke.<sup>4</sup>
12. There is no evidence in the Research Report of a correlation between alcohol related harm and supermarkets.<sup>5</sup> The evidence from the Inspector provided with the Research Report is that supermarkets and grocery stores have good systems in place for ensuring compliance with the Act but that bottle stores pose a higher risk to communities than supermarkets.<sup>6</sup>

#### **GDL's position on off-licence hours**

13. It is unclear from the information provided with the Draft LAP that there is a real and appreciable possibility that reducing the maximum hours for all supermarkets will reduce alcohol related harm.<sup>7</sup>
14. GDL accepts that there is evidence of alcohol related harm in Te Puke and is not opposed to the reduction in the maximum hours for all off-licences in Te Puke. In line with this stance, GDL has recently advised the District Licensing Committee that it wishes to reduce the maximum trading hours on its licence Countdown Te Puke from 10.00pm to 9.00pm. GDL does not currently, nor will it, extend its trading hours at Countdown Te Puke even during busy sales periods.

<sup>1</sup> Countdown Bureta Park, Countdown Bethlehem, Countdown Greerton, Countdown Fraser Cove, Countdown Bayfair, Countdown Papamoa, Countdown Tauranga. All of the above stores trade until 10.00pm with the exception of Countdown Greerton, which trades until 9.00pm.

<sup>2</sup> Western Bay of Plenty District Council Local Alcohol Policy Research Report, at 15.

<sup>3</sup> Western Bay of Plenty District Council Local Alcohol Policy Research Report, at 48.

<sup>4</sup> Western Bay of Plenty District Council Local Alcohol Policy Research Report, at Appendix C [10]-[11].

<sup>5</sup> The Medical Officer of Health states that evidence indicates that restrictions on off-licence trading hours will prevent alcohol-related harm. However, the Medical Officer of Health does not distinguish supermarkets from other off-licences. See Western Bay of Plenty District Council Local Alcohol Policy Research Report, at Appendix I.

<sup>6</sup> Western Bay of Plenty District Council Local Alcohol Policy Research Report, at Appendix C [18].

<sup>7</sup> *Auckland Council v Woolworths New Zealand* [2021] NZCA 484 at [62].

15. GDL submits that the Draft LAP should be amended to limit the maximum trading hours for off-licences in Te Puke to 9.00pm. GDL supports the Council in its efforts to reduce alcohol related harm in Te Puke.
16. While all of GDL's stores in the proposed jurisdiction of the Draft LAP currently close at 9.00pm, the licence conditions provide that the maximum trading hours is until 10.00pm.<sup>8</sup> The extended hours on the licence conditions enable GDL to trade until 10.00pm at Countdown Katikati during key sales periods such as Christmas Day and New Year's day, which provides both convenience to our customers and allows our staff to safely manage the influx of shoppers during these busy periods.

**Conclusion**

17. GDL seeks that the maximum alcohol trading hours for off-licences are reduced to 9.00pm for the Te Puke area and remain at 10.00pm for the rest of the district to allow for extended hours during key sales periods. GDL wishes to be heard on its submission.

**Signature:****GENERAL DISTRIBUTORS LIMITED**

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Paul Radich

National Alcohol Responsibility Manager

**Date:**

6 December 2021

**Address for Service:**

Paul Radich  
paul.radich@countdown.co.nz

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<sup>8</sup> Note that the stores in the Tauranga City Council jurisdiction predominantly close at 10.00pm.

Submission 131

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**From:** SUNNY SINGH  
**Sent:** Monday, 6 December 2021 10:30 pm  
**To:** Have Your Say  
**Subject:** LAP Review

***TO WHOM IT MAY CONCERN***

I would like to object to the proposed reduction of hours for off license to 9pm  
We are a seasonal business open until 10pm over the summer holidays period and we do a huge business over this business selling household supplies including liquor and reduction to the hours to 9pm will damage our business

I would like the existing hours until 10pm to remain in force

Regards  
Sunny  
OWNER  
WAIHI BEACH FOUR SQUARE  
027 527 5262

Submission 132

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**From:** SUNNY SINGH  
**Sent:** Monday, 6 December 2021 10:33 pm  
**To:** Have Your Say  
**Subject:** WBOPDC LAP REVIEW

TO WHOM IT MAY CONCERN

I oppose to the proposed reduction to the hours of off-licence to 10pm

We are open until 10pm 5 days of the week and generate a lot if sales until 10pm

We would like the hours to remain the same until 10pm

Regards  
SUNNY SINGH  
THE BOTTLE-O KATIKATI  
74 MAIN RD  
KATIKATI  
[REDACTED]

**From:** Sinead Stainton <sinead@superliquor.co.nz>  
**Sent:** Monday, 6 December 2021 4:58 PM  
**To:** Matthew Leighton <Matthew.Leighton@westernbay.govt.nz>  
**Cc:** Greg Hoar <greg@superliquor.co.nz>  
**Subject:** RE: Consultation closes 6 December - Western Bay of Plenty Alcohol Review

Good day Matthew,

Thank you for the email. I have tried to go online and send in our feedback, however, it is no longer available so we would like to email our feedback to you please as we would like to be part of the consultation process.

Please see below.

**1. Reducing Off Licence Hours**

SLH opposes the restriction of trading hours.

We agree with the currently trading hours of 7am – 10m. We submit there is no justification for restricting the trading hours of licensed premises.

We also submit that whatever hours are settled on should apply to all premises that hold an off-licence (bottle store, supermarket, grocery store, off-licence held in the same premises as a club licence). We ask for a level playing field with all off premise licence holders.

**2. Prevention of the establishment of further bottle stores in the Te Puke-Maketu Ward area**

SLH submits that this approach is unreasonable in that there may be valid reasons why a new off-licence could be permitted (for example future residential developments, population growth, growth in commercial sectors etc). The District Licencing Committee should have the responsibility for determining any further applications for a new off-licence based on the information provided by an applicant and recognising that every application is unique to the particular site in question.

We would also need to ensure that if a business sells, that the new licence is not considered a new licence. The new licence issued would be exempt from any new location restrictions as the premises would be deemed as existing and not 'new'.

**1. Increasing the coverage of the ban on alcohol in public places (Alcohol Control Area) in Te Puke to cover the entire urban area, not just the town centre.**

We have no issue with this

**2. Are there any other changes you would like to comment on**

For draft policies that we have submitted on through New Zealand previously, there have been conditions included that we have opposed, as they did not ensure a level playing field across all types of off-licences (eg. bottle store, supermarket, grocery store, off-licence held in the same premises as a club licence).

For any further additions to a draft policy that effects off premise licences, we would like the opportunity to submit additional commentary and /or evidence should any conditions be included or added.

Kind regards,

**Sinead Stainton**  
**Franchise Operations Executive**  
**Super Liquor Holdings Ltd**  
**DDI:** 09 523 4075  
**Mobile:** 021 809 022  
**Email:** [sinead@superliquor.co.nz](mailto:sinead@superliquor.co.nz)  
[www.superliquor.co.nz](http://www.superliquor.co.nz)

Submission 134

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**From:** Vicki Hiini <vicki.hiini@fairhaven.school.nz>  
**Sent:** Wednesday, 8 December 2021 4:34 pm  
**To:** Have Your Say  
**Subject:** Re: Local Alcohol Policy and Alcohol Control Bylaw review

Thank you so much, I was interrupted yesterday and did not get a chance to reply to your email.

On behalf of Kāhui Ako o Te Puke - Community of learning that represents the 12 schools in the Te Puke district we want to support the councils recommendations of closing liquor outlets at 9pm, extending the liquor ban area and limiting the number of outlets able to sell liquor. I am happy to speak if required.

Ngā mihi, Vicki

Submission 135

**From:** OWEN, Michael (Mike) [REDACTED]  
**Sent:** Thursday, 11 November 2021 2:54 PM  
**To:** Matthew Leighton <Matthew.Leighton@westernbay.govt.nz>  
**Cc:** ROSER, Daniel (Dan) [REDACTED]  
**Subject:** RE: [EXTERNAL] Open for consultation - Western Bay of Plenty Alcohol Review

No all good, I knew there would be a rationale behind it so no dramas with me.

Cheers



**Sergeant Mike Owen**  
Officer in Charge: Te Puke | Western Bay of Plenty | New Zealand Police

Te Puke Police Station, Station Road, Te Puke

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**From:** Matthew Leighton <Matthew.Leighton@westernbay.govt.nz>  
**Sent:** Thursday, 11 November 2021 2:48 PM  
**To:** OWEN, Michael (Mike) [REDACTED]  
**Cc:** ROSER, Daniel (Dan) [REDACTED]  
**Subject:** RE: [EXTERNAL] Open for consultation - Western Bay of Plenty Alcohol Review

Cheers Mike,

The rationale for going out a bit further was to capture the land zoned industrial and future urban. There is a level of future proofing as the Bylaw isn't technically due for review for ten years after this round (although we can do it earlier). We also heard from one of the Councillors that there is often drinking in the Ronald Lane/Collins Lane area and at the land near the entrance to the town, before and after packhouse shifts. I assume this may happen down Quarry road too?

I'm not trying to convince you, but just explain the Councillor's rationale. Happy for any submissions points that the Council can then consider.

Cheers,

**Matt Leighton**

Senior Policy Analyst

Kaitātari Matua Kaupapa Here



**Western  
Bay of Plenty**  
District Council

**For our  
people**

E [matthew.leighton@westernbay.govt.nz](mailto:matthew.leighton@westernbay.govt.nz)

P 07 571 8008 | FP 0800 926 732

1484 Cameron Road, Greerton, Tauranga 3112

[westernbay.govt.nz](http://westernbay.govt.nz) | [Facebook](#) | [Instagram](#) | [LinkedIn](#)

**From:** OWEN, Michael (Mike) [redacted]  
**Sent:** Thursday, 11 November 2021 1:05 PM  
**To:** Matthew Leighton <[Matthew.Leighton@westernbay.govt.nz](mailto:Matthew.Leighton@westernbay.govt.nz)>  
**Cc:** ROSER, Daniel (Dan) [redacted]  
**Subject:** RE: [EXTERNAL] Open for consultation - Western Bay of Plenty Alcohol Review

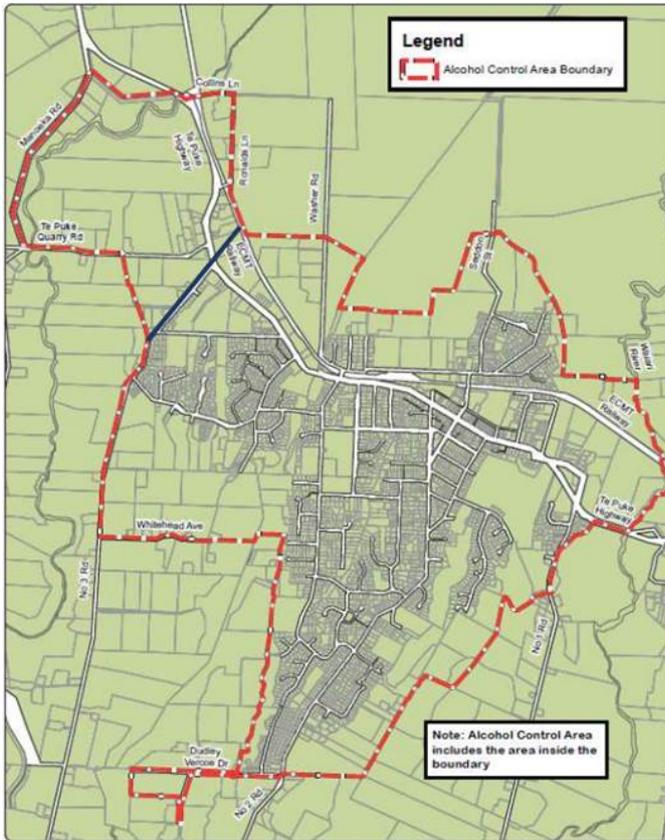
Hi Matt,

With regards to keeping the liquor ban area pertinent to our issues in the CBD I was just conscious it might have been too far spread to the North (on your map), although that would take into account the “Te Puke Quarry Road” lookout .. but then again that has bollards/fencing up there now that means they can’t park up and drink – nonetheless it’s still well away from the CBD.

Here’s the map I’ve altered 😊

The blue line coming down No.3 road is probably where I would stop it personally .. but hey open for discussions 😊

Cheers



**Sergeant Mike Owen**  
 Officer in Charge: Te Puke | Western Bay of Plenty | New Zealand Police

Te Puke Police Station, Station Road, Te Puke

**Safer Communities Together**

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Submission 135

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**From:** SANDERSON, Nigel [REDACTED]  
**Sent:** Friday, 12 November 2021 8:21 AM  
**To:** Matthew Leighton <Matthew.Leighton@westernbay.govt.nz>  
**Subject:** RE: [EXTERNAL] Open for consultation - Western Bay of Plenty Alcohol Review

Hi

Would you like feedback via email to you or via the methods below?

If email to you is suitable, then my feedback is that the changes look good, should help reduce alcohol related harm in the Waihi Beach area.

Regards

Nigel

## Have Your Say

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**From:** Matthew Leighton  
**Sent:** Thursday, 9 December 2021 1:08 pm  
**To:** Have Your Say  
**Subject:** LAP Police feedback

Record of phone conversation with Sgt. Dan Roser 08/12/2021.

Previous advice as submitted to inform the development of the draft Policy stands.

### **Matt Leighton**

**Senior Policy Analyst**

Kaitātari Matua Kaupapa Here



E [matthew.leighton@westernbay.govt.nz](mailto:matthew.leighton@westernbay.govt.nz)

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## **Attachment B**

### **Local Alcohol Policy and Alcohol Control Bylaw Reviews** **– Discussion of options for consideration as a result of** **submissions**

#### **Local Alcohol Policy**

Council may decide to make any changes to reflect the information and views presented through the submissions process. The options and submissions received are discussed below.

Highlighted options relate to the content of the draft Provisional Local Alcohol Policy. The option as per the draft Policy for public consultation is also noted.

<b>Option</b>	<b>Description</b>	<b>Discussion – advantages and disadvantages and summary of submission points</b>
<b>TOPIC 1</b>		
<b>Joint policy – Develop separate LAP.</b>		
Most submitters did not comment on separating the WBOPDC and TCC policies. One submitter (Kainga Tupu Taskforce -Sub 127) noted their preference for continued alliance between the Councils “to allow for a unified (and less confusing) sub-regional approach”.		
<b>TOPIC 2</b>		
<b>Off-licences – e.g. bottle stores, supermarkets</b>		
<b>Hours</b>		
A	Retain the current LAP hours (7am-10pm)	27 submitters sought this. Primarily current licence holders. Reasons given were to address demand and provide flexibility of retail hours. The opening hours may provide flexibility for the DLC to consider on a case by case basis.  This option aligns with the operative policy status quo. The current provisions appear adequate however alcohol harm is still considered high in some areas of the community.
B (As per draft Policy)	Change final sales time to 9pm.	89 submitters agreed with this proposal.  Decreased hours would limit alcohol availability and subsequent harm. Many licence holders do not fully utilise the existing hours currently available. Supermarkets in the district close at 9pm or earlier and consistency with other off-licences may be beneficial. Reasons given by submitters were focused on harm minimisation and reducing availability.

1

Local Alcohol Policy and Alcohol Control Bylaw Reviews – Discussion of options for consideration as a result of submissions

Option	Description	Discussion – advantages and disadvantages and summary of submission points
C	Earliest sales time changed from 7am to 10am.	23 submitters sought later opening times (either 10am or 9am). Reasons given by submitters were focused on harm minimisation, reducing availability, reducing visibility to school children, reducing early morning drinking.
D	Other e.g. Change final sales time to 8pm or earlier.	8 submitters sought an earlier final sales time. See commentary above.
E	Format change	Minor format change to present opening and closing hours as separate lines. Three submitters recommended this to avoid the full section being appealed. One submitter (Foodstuffs – Sub 129) suggested this was unnecessary through the hearings.
<b>Limit on numbers of bottle stores in the Te Puke – Maketu ward area.</b>		
A	Amend wording to allow for the sale of existing licenced premises or relocation of an existing premise to a site nearby.	A limit on licences would prevent an increase (more than currently exist) in bottle-stores being established in the area. This was proposed to address issues in Te Puke – Maketu ward area given the evidence of greater alcohol related harm and risk factors here. A limit may not reduce alcohol related harm, but may prevent it from increasing.
B (As per draft Policy)	Retain draft wording and create a sinking lid.	Likely to be appealed (note these provisions were removed by appeals last time).
C	Introduce the limit as a cap	A, B, C - 105 submitters supported a limit on new licences for bottle stores in Te Puke. 19 opposed.  The intent of the proposed text was to prevent any new bottle stores from establishing, rather than introduce a sinking lid. Option A provides for a minor re-write of the proposal to allow for the sale of existing premises where it is at the same location or a relocation to a site nearby.  Option B would retain the current text and could create a sinking lid whereby a bottle store could not continue if there was a change in ownership.  Option C suggests a numeric cap or proportional to population cap. The introduction of a cap would allow a premises to close and another to open. However, this would 'cement' the current number of outlets, which some submitters raised was too many already and does not necessarily recognise the differences in communities.

Option	Description	Discussion – advantages and disadvantages and summary of submission points
D	Introduce a temporary freeze only	<p>One submitter (Ngāi Te Rangi Iwi – sub 92) suggested introducing a temporary freeze on new licences only. This would provide a pause and an assessment of harm.</p> <p>The benefits of this approach are unclear as the LAP is reviewed at least every six years (and can be reviewed earlier), therefore any limit can be undone, and that the number of new applications received is very low.</p>
E	Create a 'rebuttable presumption'	<p>One submitter (Ngāi Te Rangi Iwi – sub 92) suggested duplicating the approach of Auckland City and introducing a 'rebuttable presumption' that would set the default position of rejecting new licences unless the case for one is made by the applicant.</p> <p>Whilst it may be a promising tool there is a level of uncertainty. This is a new provision and not well tested at this point. This is not a hard and fast rule, and as such opens the door for new licences and challenges up to ARLA on decisions.</p> <p>It may not be the best tool if Council's position is that no new licences in a specific area is desired.</p>
<b>Location of the limit on new bottle stores</b>		
A (As per draft Policy)	Limit applies in Te Puke/Maketu ward only	<p>A limit would prevent an excess (either more than currently or a population linked number) of licenced premises to be established in the district. Limits may not be suitable where there is not significant alcohol related harm or where substantial growth is expected. The one-size fits all approach may not be appropriate.</p> <p>Likely to be appealed (note these provisions were removed by appeals last time).</p> <p>A specifically targeted limit to the Te Puke-Maketu ward area addresses concerns raised with alcohol related harm in that area and would be a suitable response.</p> <p>97 submitters supported the proposal</p>
B	Introduce a District wide limit	Eight submitters sought that there be a limit on bottle stores district wide
C	Additional limits for other areas	Four submitters sought additional limits for other areas, including Katikati (3) and Ōmokoroa (1)

Option	Description	Discussion – advantages and disadvantages and summary of submission points
D	Create a 'rebuttable presumption'	One submitter (Ngāi Te Rangi Iwi – sub 92) suggested introducing a 'rebuttable presumption' that would set the default position of rejecting new licences unless the case for one is made by the applicant. This may be a useful tool where Council is concerned at the level of harm in an area, but feels like new licences may be justified in some cases.
<b>Limit on new bottle stores or expand type</b>		
A (As per draft Policy)	Limit on new bottle stores only	<p>Differentiate conditions by type of off-licence:</p> <p>Two submitted that different types of off-licence deliver different services and have a different level of risk and this should be recognised.</p> <p>Council can differentiate by off-licence type (supermarket, grocery store, bottle store, online retail). This may allow a more nuanced approach to target areas where the risk of harm may be greater.</p> <p>A focus on bottle stores may be justified due to the concern raised by the stakeholders in the pre-engagement.</p> <p>As per draft Policy limits any new bottle stores in the Te Puke-Maketu Ward.</p>
B	Expand the limit to cover all off-licences rather than just bottle stores/	Two submitters felt that all off-licences should be treated the same.
<b>Conditions / Discretionary Conditions</b>		
A	Introduce density limits	<p>Limiting the density of off-licences may reduce alcohol availability and price competition.</p> <p>Most off-licences are in town CBDs. Dispersed licences may not be preferable.</p> <p>Likely to be appealed (note these provisions were removed by appeals last time).</p>
B	Introduce location limitations due to sensitive sites	<p>Limiting the location of licences with regard to sensitive sites may reduce risk of harm.</p> <p>12 submitters were concerned regarding the prevalence of licenced premises in low socio-economic areas or near sensitive sites. Conditions could be included in the LAP to prevent the establishment of venues close to these.</p> <p>Often an element that is appealed in the provisional LAPs.</p>

4

Local Alcohol Policy and Alcohol Control Bylaw Reviews – Discussion of options for consideration as a result of submissions

Option	Description	Discussion – advantages and disadvantages and summary of submission points
C	Introduce conditions / discretionary conditions - no breaking down stock for singles sales	Provision of a clear list of discretionary conditions may assist with licencing conversations. Legislation allows a case-by-case approach currently. Often an element that is appealed in the provisional LAP (note these provisions were removed by appeals last time). Care should be taken that these conditions do not contradict or go beyond the legislation.
D	Introduce conditions / discretionary conditions - limit advertising	
E	Other discretionary conditions	Four submitters suggested including additional conditions (Ngāi Te Rangi Iwi – sub 92, Alcohol Healthwatch – sub 124, Kainga Tupu Taskforce – sub 127, Te Hiringa Hauora – sub 128). These include: <ul style="list-style-type: none"> <li>• conditions relating to the kinds of alcohol that may be sold (e.g. prohibiting single serve; particular cheap high alcohol products; introducing minimum price),</li> <li>• requirements around security and lighting in and outside of the store (lighting and CCTV conditions),</li> <li>• requirements on recording incidents of “material alcohol-related incidents”,</li> <li>• the placement of particular products e.g. not in doorways,</li> <li>• limits on advertising and signage,</li> <li>• limits on store colours,</li> <li>• stores being closed during times when children are coming and going from school or other sensitive sites,</li> <li>• no intoxicated persons are allowed to enter or to remain on the premises,</li> <li>• signs are prominently displayed detailing statutory restrictions,</li> <li>• Conditions on delivery of remote sales.</li> </ul>
F (As per draft Policy)	Do not introduce new conditions/discretionary conditions	The current process of allowing the Alcohol Licencing Inspector, DLC and applicant to develop suitable conditions on a case-by-case basis appears to be working adequately.  Two submitters (Foodstuffs – Sub 129, Super Liquor – sub 133) made comments either opposing additional discretionary conditions or seeking further engagement on them.

Option	Description	Discussion – advantages and disadvantages and summary of submission points
<b>TOPIC 3</b>		
<b>On licences hours – e.g. restaurants and bars</b>		
A (As per draft Policy)	Retain the current LAP provisions (e.g. 9am-1am, no cap on numbers anywhere, discretionary conditions)	Current approach appears to be working. Little concern raised regarding on-licences from pre-engagement.  Limited submitter concerns raised with on licences in formal engagement.
B	Amend On-licence hours	Submitter comments recognition that these are a more regulated drinking environment with protections in place.  Provision of a clear list of discretionary conditions assists with licencing conversations.  The current approach is working well.
<b>On Licence – One way door policy</b>		
A (As per draft Policy)	One way door policy is for events only	Amend the one way door policy to only cover special licences for events at the venue where it is open to 2am. However, the wording could be improved for clarity. This was raised by one submitter (Alcohol Healthwatch – sub 124).
B	Amend one way door provision to come into effect from 12am	Two submitters recommended introducing a one way door provision from 12am (Te Hiringa Hauora – sub 128; Ngāi Te Rangi Iwi –sub 92). This would be a new provision in our District and direct engagement with these venues has not occurred. Currently requirements around security may go some way to addressing the issue.  An earlier one way door policy may be useful to address harm (e.g. 11pm).
C	Delete the one way door provision.	The one way door condition could be deleted in full and removed from the policy.  This would avoid a lack of clarity.
<b>TOPIC 4</b>		
<b>Club licences</b>		
A (As per draft Policy)	Create a separate section for Club licences but retain the current LAP provisions (e.g. same requirements as on-licences)	Additional clarity would be provided. Recognises the difference in intent around club licences and on-licences and the association with club activities. Current approach appears to be working.  One submitter noted that this would provide clarity. No comments of opposition were raised. Limited concern at club licences raised in pre-engagement.

6

Local Alcohol Policy and Alcohol Control Bylaw Reviews – Discussion of options for consideration as a result of submissions

Option	Description	Discussion – advantages and disadvantages and summary of submission points
<b>Club licences – Hours</b>		
A (As per draft Policy)	Retain current hours 9am-1am	Limited concern at club licences raised in pre-engagement.
B	Reduced alcohol sales hours to 9am – 12am	Provisions could be amended to provide a stronger recognition of the difference in intent around club licences and on-licences and the primary focus being club activities.  Three submitters raised concerns around the regulation of drinking at clubs. It was suggested that clubs should close earlier than other on-licences to recognise that their primary role is not the provision of alcohol and the less legislatively strict requirements they have to meet (e.g. no requirement to have a duty manager on site at all times).
C	Other – e.g. reduced alcohol sales hours to 12pm – 11pm	Further reduction in hours would recognise the primary purpose of these clubs is not the provision of alcohol.
<b>TOPIC 5</b>		
<b>Special licences</b>		
A (As per draft Policy)	Retain the current LAP provisions (e.g. discretionary conditions)	Current approach appears to be working. Little concern raised regarding special-licences from pre-engagement.
B	Amend discretionary conditions i. Condition that no child-focused events be issued a licence.	One submitter (Alcohol Healthwatch – sub 124) raised concerns with the normalisation of alcohol at events and sought a change to the discretionary conditions.
C	Other discretionary conditions	

## Alcohol Control Bylaw

Council may decide to make any changes to the Bylaw to reflect views presented through the submissions process. The options and submissions received are discussed below.

Highlighted (As per draft Policy) options relate to the content of the draft Bylaw as per the version for Public Consultation and recommended for adoption by Council.

Option	Description	Discussion – advantages and disadvantages and summary of submission points
<b>TOPIC</b>		
<b>The extent of the alcohol control areas</b>		
A (As per draft Policy)	Expand the existing Alcohol Control Area to cover Te Puke more broadly.	<p>97 submitters supported this approach.</p> <p>Police and station officers are supportive of the changes.</p> <p>Evidence of alcohol related crime and harm.</p> <p>Increasing the size of the Te Puke Alcohol Control Area may improve outcomes.</p> <p>It would also align with the approach taken for Katikati and Waihi Beach/Athenree.</p> <p>Operational budget will be required for signage.</p>
B	Do not extend the Alcohol Control Area in Te Puke	21 submitters opposed the proposal and sought to retain the current Alcohol Control Area (Te Puke CBD only).
C	Extend the Alcohol Control Area in Te Puke only slightly more	Seven submitters suggested that only a small expansion to the current Alcohol Control Area be made.
D	Add additional Alcohol Control Areas.	<p>Limited data to justify new areas.</p> <p>Three submitters made comments seeking further Alcohol Control Areas including at:</p> <p>Paengaroa</p> <p>All Beaches and Reserves</p>

## Non regulatory matters

Several submitters (21) suggested Council undertake non-regulatory actions. These either suggested new actions or requested Council go further in specific matters.

At the time of adopting the draft LAP and draft Bylaw for consultation (Policy Committee Meeting, 19 October 2021), the Policy Committee also resolved that alcohol harm be further considered through other processes. These options have been expanded upon with relevant submission points in the table below.

Option	Description	Discussion – advantages and disadvantages and summary of submission points
<b>TOPIC</b>		
<b>Consider Alcohol harm through other processes</b>		
A (As per Committee Resolution)	Work to improve the approach to Licence notification.	Look to do more than legislative minimum to encourage a range of voices and public participation. Currently project underway to make these more accessible online. <u>Following consultation:</u> Submitters suggested investing to actively raise public awareness and require applicants to demonstrate public support. Council may wish to increase public awareness of applications. Particularly new alcohol licence applications and renewal applications for on-licences, off-licences and club licences.
B (As per Committee Resolution)	Encourage greater range of applicants to be a member of the DLC.	Enable local input and insight and look to increase Māori perspectives. An increase in awareness and community voice would be beneficial. <u>Following consultation:</u> Iwi/Māori specific seats on the District Licensing Committee were suggested by a submitter. These are not specifically possible under the legislation, however the appointment panel could include Iwi/Māori representation and more active promotion undertaken. Re-recruitment and appointment of the DLC is scheduled for 2023. Council may seek a wide diversity of candidates for the District Licensing Committee and consider who is included on the appointment panel.

Option	Description	Discussion – advantages and disadvantages and summary of submission points
C (As per Committee Resolution)	Explore a partnership approach with Police.	<p>Conversations with Police to outline concerns and explore further support. Further communication and collaboration between bodies may be sought.</p> <p><u>Following consultation:</u> 14 Submitters raised concerns at the limited policing of Alcohol Bans and alcohol matters, particularly in the Te Puke community. Council may wish to outline submitters concerns with Police and seek greater Police -Council collaboration.</p>
D (As per Committee Resolution)	CCTV cameras to address areas of concern	Addressed through the CCTV Management Plan
E (As per Committee Resolution)	Explore community partnerships. This may include support for Community Patrols, Māori wardens, Safer Communities projects, education initiatives, etc.	This could be considered through the Community Safety Policy review.
F (As per Committee Resolution)	Engage with Central Government agencies to develop a partnership approach	<p>Engagement with agencies such as the Ministry for Social Development, Health Promotion agency and others to seek improved outcomes in our district.</p> <p>This could also be considered through the Community Safety Policy review.</p> <p><u>Following consultation:</u> 12 submitters sought legislative change and Council can be a voice and lobby Central Government for positive change in the Alcohol legislation area.</p> <p>Council may wish to respond to future Central Government led work on this topic, given indications of an upcoming review on this matter..</p>
G (As per Committee Resolution)	Alcohol accords	<p>Licence holders and Council undertake proactive measures together.</p> <p>Action currently underway in Te Puke.</p>

Option	Description	Discussion – advantages and disadvantages and summary of submission points
H (New)	Monitoring / Enforcement	<p>Several submitters sought increased monitoring, undertaken by Council, of licences.</p> <p>Increased staff time and resources required to undertake additional enforcement and monitoring actions of alcohol licencing (Police are responsible for the bylaw enforcement).</p> <p>Council may wish to consider resourcing matter in the regulatory space.</p>
I (New)	Action Plan	<p><u>Following consultation:</u></p> <p>Six submitters raised education as a major tool.</p> <p>Five submitters suggested a pro-active alcohol harm reduction plan be created.</p> <p>Development of an Action Plan to see a proactive and focused delivery of the above actions and others and coordination of different bodies.</p> <p>An Action Plan focusing solely on alcohol may be too narrow and it may be better considered through a wider community safety, health or well being lens.</p> <p>Council may wish to include alcohol harm as part of the current Community Safety Policy Review.</p>



## Western Bay of Plenty District

### Provisional Local Alcohol Policy

#### 1. Policy goals

- To minimise alcohol-related harm in the western Bay of Plenty.
- To contribute to the western Bay of Plenty being a safe and healthy district.
- To reflect local communities' character, amenity, values, preferences and needs.
- To encourage licensed premises to foster positive, responsible drinking behaviour.

#### 2. Policy objectives

To provide guidance to the licensing committee and licensing authority regarding:

- The trading hours of licensed premises.
- The further issuing of licences.
- One-way door restrictions.
- Discretionary conditions.

#### 3. Definitions

The **Act** means the Sale and Supply of Alcohol Act 2012.

**Bottle store** means an off-licensed premises being a retail premises where (in the opinion of the licensing authority or licensing committee concerned) at least 85% of the annual sales revenue is expected to be earned from the sale of alcohol for consumption somewhere else. (Refer section 32(1)(b) of the Act.)

**Club** means a body that:

- (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. (Refer section 5 of the Act.)

**District Plan** means the Western Bay of Plenty District Council's operative District Plan.

**Hotel** means 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. (Refer section 5 of the Act.)

**Licensing authority** means the Alcohol Regulatory and Licensing Authority continued in existence under section 169(1) of the Act.

**Licensing committee** means the District Licensing Committee established under section 186 of the Act, by Western Bay of Plenty District Council, relevant to the licence or matter under consideration.

**Off-licence** is a licence for premises where the licensee can sell alcohol for consumption somewhere else.

**On-licence** is a licence for premises where the licensee can sell alcohol for consumption on the premises or can let people consume alcohol on the premises. For the avoidance of doubt, on-licence does not include club licences per section 21 of the Act.

**One-way door restriction** means, in relation to a licence, 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. (Refer section 5 of the Act.)

**Tavern** (a) means premises used or intended to be used in the course of business principally for providing alcohol and other refreshments to the public; but (b) does not include an airport bar. (Refer section 5 of the Act.)

## 4. Background

The Act has the following objects:

- (a) that the sale, supply, and consumption of alcohol should be undertaken safely and responsibly; and
- (b) that the harm caused by the excessive or inappropriate consumption of alcohol should be minimised.

Under the Act, councils and their communities have the opportunity to develop a local alcohol policy. Section 77 of the Act allows that a local alcohol policy may include policies on the following matters (and no others):

- the location of licensed premises by reference to broad areas
- the proximity of licensed premises to other facilities or licensed premises

- whether further licences should be issued in the district or parts of the district
- maximum trading hours
- the issue of licences subject to discretionary conditions, and
- one-way door restrictions.

In making decisions on licence applications, the licensing committee or licensing authority must have regard to the local alcohol policy. Except for persons with a greater interest in a licence application than the public generally, the local alcohol policy is the principal method by which communities can influence licensing decision-making.

Under the Act, a local alcohol policy must be reviewed no later than six years after adoption.

## 5. Policy Statement

### 5.1 Off-licenses

#### 5.1.1 Maximum licensed hours

- Maximum licensed hours for off-licenses shall be 7am to 9pm.

#### 5.1.2 Whether further licences should be issued in the district or parts of the district

- From the date this LAP comes into force, no ~~further~~new licences for bottle stores should be issued for premises in the Te Puke – Maketu Ward area (as set out in attachment 1). For clarity, new licences for an existing premise that has been sold, or for an existing premise that relocates to a new site that is very close to the existing site, may be issued.

### 5.2 On-licences

#### 5.2.1 Maximum licensed hours

- Maximum licensed hours for all on-licences shall be 9am to 1am the following day.

#### ~~5.2.2 One-way door restrictions~~

- ~~• Any on-licensed premises licensed until after 2am shall have a one-way door restriction in place from 2am.~~

#### 5.2.32 Discretionary conditions

The following discretionary conditions have been identified for consideration by the District Licensing Committee when issuing and renewing on-licences, including on-licences issued to clubs:

- Patron number to security ratio;
- Patron number to bar manager ratio;
- Provision of additional security (staff) after 11pm;

- The installation and operation of CCTV cameras on the exterior of, and within premises;
- Provision of effective exterior lighting;
- Restrictions on the size (e.g. 'doubles') and time of 'last orders';
- Management of patrons queuing to enter the licenced premise;
- Restriction on the use of outdoor areas after 10pm;
- Provision of seating i.e. no vertical drinking zones within the licence-to-occupy area (i.e.: all LTO areas are seated only at all times);
- No serving in glass containers at specified times;
- No shots or particular types of drinks to be served after specified times;
- A restriction on the number of drinks per customer;
- Restrictions on permitted drinking vessels;
- No alcohol service for a specified time before the closing the licensed premises;
- Provision of transport for patrons;
- Acoustic design certificate required if an existing tavern is the subject of complaints;
- Acoustic design certificate required for all new on-licensed and club premises with a residential boundary within 500 metres and an outside area operating after 11pm.
- The above conditions would apply to all types of on-licence premises.

### **5.3 Club licences**

#### **5.3.1 Maximum licensed hours**

- Maximum licensed hours for all on-licences shall be 9am to 1am the following day.

#### ~~5.3.2 One-way door restrictions~~

- ~~• Any on-licensed premises licensed until after 2am shall have a one-way door restriction in place from 2am.~~

#### **5.3.32 Discretionary conditions**

The following discretionary conditions have been identified for consideration by the District Licensing Committee when issuing and renewing on-licences, including on-licences issued to clubs:

- Patron number to security ratio;
- Patron number to bar manager ratio;
- Provision of additional security (staff) after 11pm;
- The installation and operation of CCTV cameras on the exterior of, and within premises;

- Provision of effective exterior lighting;
- Restrictions on the size (e.g. 'doubles') and time of 'last orders';
- Management of patrons queuing to enter the licenced premise;
- Restriction on the use of outdoor areas after 10pm;
- Provision of seating i.e. no vertical drinking zones within the licence-to-occupy area (i.e.: all LTO areas are seated only at all times);
- No serving in glass containers at specified times;
- No shots or particular types of drinks to be served after specified times;
- A restriction on the number of drinks per customer;
- Restrictions on permitted drinking vessels;
- No alcohol service for a specified time before the closing the licensed premises;
- Provision of transport for patrons;
- Acoustic design certificate required if an existing tavern is the subject of complaints;
- Acoustic design certificate required for all new on-licenced and club premises with a residential boundary within 500 metres and an outside area operating after 11pm.
- The above conditions would apply to all types of on-licence premises.

## **5.4 Special Licences**

### **5.4.1 Discretionary conditions**

The following discretionary conditions have been identified for consideration by the District Licensing Committee when issuing special licences, including special licences issued to clubs:

- Number of 'responsible persons' or certified Duty Managers to be present;
- Specify locations Managers to be present at. (e.g.: at point of sale, anywhere else on site that their presence would be beneficial);
- Free water to be available;
- Limit on number of drinks to be sold in one transaction;
- Drink containers to be opened at point of sale;
- No high alcohol doubles or shots to be sold;
- Specify security staff number required and their location.(Guard to patron ratio);
- Specify event staff to wear high viz clothing;

- Specify containers alcohol may be sold in;
- Condition to ensure Police reserve rights to require earlier cessation of licence hours by request to the licensee and reduce number of sales and slowing of service;
- Limits on promotion of alcohol;
- Require one way door procedure;
- Limits as to noise from event;
- Lighting requirements;
- Consideration of having specific 'licensed area' within an overall 'event area' - this will help restrict movement of patrons with alcohol inside the event and be easier to monitor for event staff and Police/Licensing Inspectors;
- The above conditions apply to both on-site and off-site special licences.

## **6. Relevant Delegations**

This policy is delegated to the licensing committees and licensing authority to implement as appropriate.

## **7. References and Relevant Legislation**

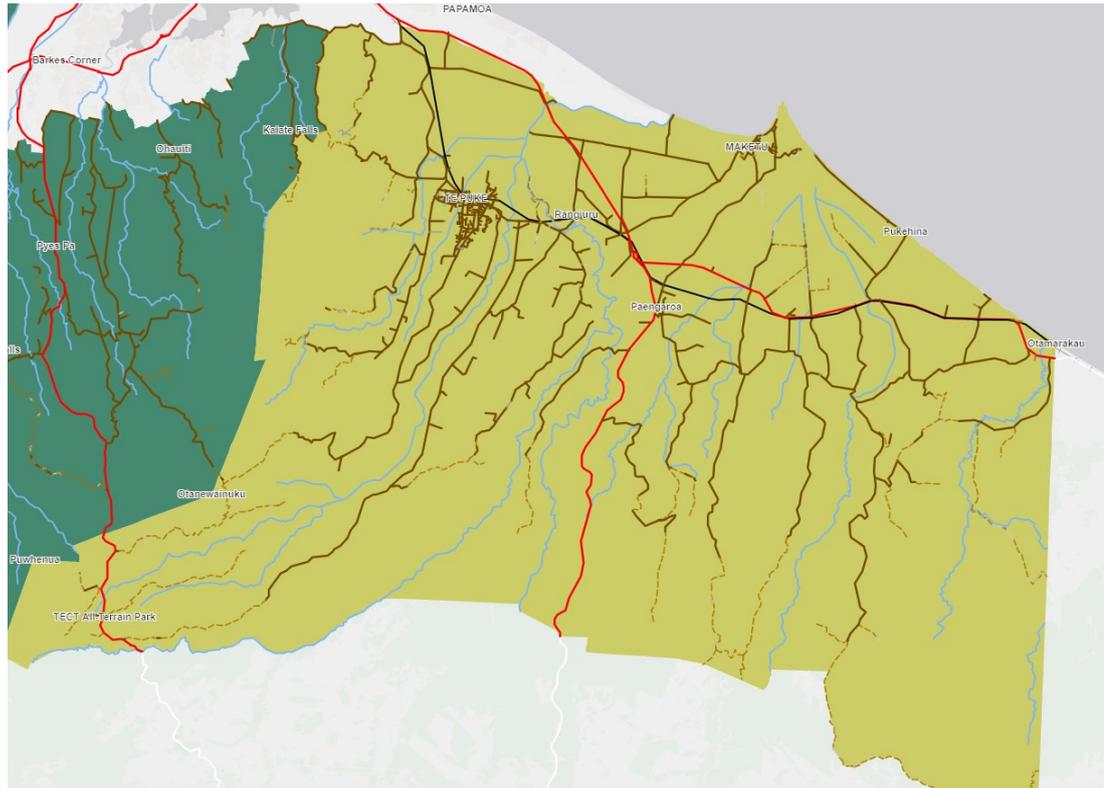
Sale and Supply of Alcohol Act 2012

### Attachment 1

#### Map of the Te Puke – Maketu Ward Area

Ward Boundaries

- KAIMAI WARD
- KATIKATI-WAIHI BEACH WARD
- MAKETU-TE PUKE WARD





## **DRAFT Alcohol Control Bylaw 2022**

### **Explanatory Note**

The objective of the Alcohol Control Bylaw is to help minimise the potential for offensive behaviour in public places, to protect the public from nuisance in public places, and to protect, promote and maintain public health and safety in public places.

This Bylaw is made by the Western Bay of Plenty District Council under the powers given to it by the Local Government Act 2002 and the Sale and Supply of Alcohol Act 2012 and their respective amendments.

**Western Bay of Plenty District Council**

**DRAFT Alcohol Control Bylaw 2022**

**Contents**

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<b>3.</b>	<b>Temporary Alcohol Control Areas .....</b>	<b>6</b>
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# Western Bay of Plenty District Council

## DRAFT Alcohol Control Bylaw 2022

### Authority

Pursuant to the powers vested in it under Section 147 of the Local Government Act 2002, the Western Bay of Plenty District Council makes this Bylaw.

### Title

This Bylaw may be cited as the Western Bay of Plenty District Council Alcohol Control Bylaw 2022 and shall come into force on xxxxxx 2022.

### Repeal

The Western Bay of Plenty District Alcohol Control Bylaw 2016 is repealed

### Bylaw Structure

This Bylaw comprises the document including Schedule 1.

### Scope

This Bylaw shall apply within the boundaries of the Western Bay of Plenty District. The provisions shall apply to the areas as detailed in Schedule 1, and any temporary areas as made by Council from time to time.

The purpose of this Bylaw is to prohibit or control the consumption of, bringing into and possession of alcohol into restricted places, and also to:

- (a) Protect the public from nuisance in public places;
- (b) Protect, promote and maintain public health and safety in public places;
- and(c) Minimise the potential for offensive behaviour in public places.

## **Validation**

The Western Bay of Plenty District Council Alcohol Control Bylaw 2022 was duly made at a meeting of the Western Bay of Plenty District Council held on xxxxxx, after completion of the Special Consultative Procedure, and will come into force on xxxxxx 2022.

## **Savings**

All approvals, permits, and other acts of authority (including any resolutions of the Council) which originated under the Western Bay of Plenty District Council Alcohol Control Bylaw 2016, and all applications, and other acts of parties and generally all documents, matters, acts, and things which so originated and are continuing at the commencement of this Bylaw, continue for the purposes of this Bylaw to have full force and effect.

The revocation of the Western Bay of Plenty District Council Alcohol Control Bylaw 2016 does not prevent any legal proceedings, criminal or civil, being taken to enforce that bylaw and such proceedings continue to be dealt with and completed as if that bylaw had not been revoked.

## 1. Definitions

### **Alcohol**

As defined in section 5 of the Sale and Supply of Alcohol Act 2012, means a substance –

- (a) That –
  - a. Is or contains a fermented, distilled, or spirituous liquor; and
  - b. At 20°C is found on analysis to contain 1.15% or more ethanol by volume; or
- (b) That –
  - a. Is a frozen liquid, or a mixture or a frozen liquid and another substance or substances; and
  - b. Is alcohol (within the meaning of paragraph (a)) when completely thawed to 20°C; or
- (c) That, whatever its form, is found to contain 1.15% or more ethanol by weight in a form that can be assimilated by people.

### **Alcohol Control Area**

Means public place(s) specified in Schedule 1 of this Bylaw, and in respect of which the prohibitions and controls in this Bylaw will apply at any specified time, day or event. It does not include any part of a public place for which an alcohol licence has been issued under the Sale and Supply of Alcohol Act 2012.

### **Event**

As defined in section 5 of the Sale and Supply of Alcohol Act 2012, includes an occasion or gathering, and any of a series of events

### **Licensed premises**

As defined in section 5 of the Sale and Supply of Alcohol Act 2012, means any premises for which a licence is held (where premises may include a conveyance, or part of any premises).

### **Public Place**

As defined in section 147 of the Local Government Act 2002,

- (a) Means a place that is open to or is being used by the public, whether free or on payment of a charge, and whether any owner or occupier of the place is lawfully entitled to exclude or eject and person from it; but
- (b) Does not include licensed premises.

**Restricted Place** Means a public place where an Alcohol Control Area or Temporary Alcohol Control Area is in force.

### **Temporary Alcohol Control Area**

Means public place(s) specified by Council resolution publicly notified where the same prohibitions and controls as for Alcohol Control Areas will temporarily apply, due to the occurrence of a specific event.

## 2. Alcohol Control Areas

- 2.1 This Bylaw makes permanent alcohol bans in specified Alcohol Control Areas in Waihi Beach, Katikati and Te Puke. Subject to clause 6 of this Bylaw, the following actions are prohibited at all times in any place within the Alcohol Control Areas detailed in Schedule 1:
- (a) The consumption of alcohol in an Alcohol Control Area;
  - (b) The bringing of alcohol into an Alcohol Control Area;
  - (c) The possession of alcohol in an Alcohol Control Area; and
  - (d) In conjunction with the alcohol controls under paragraphs (i) to (ii) above, the presence or consumption of alcohol in vehicles within any Alcohol Control Area is also prohibited.
- 2.2 Alcohol Control Areas can only be made, amended or revoked through a review of this Bylaw, using the Special Consultative Procedure as required by section 156 of the Local Government Act 2002.
- 2.3 Aside from regular reviews required by sections 158 or s159 of the Local Government Act 2002, Council will only initiate a review of this Bylaw (for the specific purpose of proposing new Alcohol Control Areas) where it considers that the requirements of section 147A of the Local Government 2002 have been satisfied (i.e. where there is sufficient evidence to justify the making of a new Alcohol Control Area).

## 3. Temporary Alcohol Control Areas

- 3.1 Council may from time to time, by way of resolution publicly notified, impose temporary alcohol bans. A Temporary Alcohol Control Area may be made for a particular time period related to a specific event, for a period not exceeding seven (7) consecutive days.
- 3.2 The same prohibitions and controls in clause 2.1 (which apply to Alcohol Control Areas with permanent alcohol bans) will apply for the period of the temporary ban.
- 3.3 Before Council makes a Temporary Alcohol Control Area, it will consider:
- (a) the nature and duration of the expected event;
  - (b) the number of people expected to attend;
  - (c) the history of the event (if any);
  - (d) the area in which the event is to be held;
  - (e) the nature and history of alcohol-related problems usually associated with the area, together with any anticipated alcohol-related problems;
  - (f) whether the benefits to local residents and to the community would

outweigh the restrictions the resolution would impose on local residents and other people, including those who may be attending any events, in the area covered by resolution;

- (g) whether the Police support the proposed Temporary Alcohol Control Area; and
- (h) any other information the Council considers relevant.

- 3.4 Where a Temporary Alcohol Control Area is made, public notice shall be given for a minimum of seven (7) days prior to the event or particular time of the year, specifying the areas and the time periods when the provisions of this Bylaw shall apply. Public notices shall be affixed in or adjacent to these specified public places for such times that the provisions of this Bylaw apply.

#### **4. Offences and Penalties**

- 4.1 Every person commits an offence under the Local Government Act 2002, and is liable upon summary conviction to a fine not exceeding \$20,000, who:
- (a) Fails to comply with or acts in contravention to any alcohol ban or any provision under this Bylaw;
  - (b) Fails, refuses or neglects to comply with any notice duly given to that person under this Bylaw; or
  - (c) Breaches the conditions of any dispensation or exemption granted under clause 6 this Bylaw.
- 4.2 Breaches of this Bylaw are also Infringement Notice offences under s245 of the Local Government Act 2002.

#### **5. Powers of the Police**

- 5.1 In accordance with the powers of arrest, search and seizure set out in sections 169, 169A and 170 of the Local Government Act 2002, a member of the Police may, without warrant, for the purpose of ascertaining whether alcohol is present, search a container (such as a parcel, package, bag or case) in the possession of a person who is in, or entering, a Restricted Place; or a vehicle that is in or is entering a Restricted Place; and seize and remove any alcohol (and its container) that is in a Restricted Place in breach of an alcohol ban.
- 5.2 A person must be informed that they have the opportunity to promptly remove a container or a vehicle containing alcohol from a Restricted Place, and the person shall be given reasonable opportunity to do so. For the

avoidance of doubt, if the person has removed alcohol from the Restricted Place and returns to that Restricted Place with alcohol (within a period when it could be deemed that the person has been informed prior to remove the alcohol), then this clause shall not be interpreted as requiring the member of Police to provide the person with a further opportunity to remove the alcohol from the Restricted Place prior to search.

- 5.3 A member of the Police may arrest:
- (a) any person whom the Police find committing an offence against this Bylaw;
  - (b) arrest a person who has refused to comply with a request made by Police:
    - (i) to leave the Restricted Place; or
    - (ii) to surrender to a constable the alcohol that, in breach of an alcohol ban, is in the person's possession.
- 5.4 Alcohol or a container seized under section 169(2)(b) of the Local Government Act 2002 is forfeited to the Crown if the person from whom the alcohol or container is seized pays the infringement fee.

## **6. Exemptions and Dispensations**

- 6.1 As provided for in section 147(4) of the Local Government Act 2002, this Bylaw does not prohibit, regulate, or control, in the case of alcohol in an unopened container,—
- (a) the transport of the alcohol from licensed premises next to a public place, if—
    - (i) it was lawfully bought on those premises for consumption off those premises; and
    - (ii) it is promptly removed from the public place; or
  - (b) the transport of the alcohol from outside a public place for delivery to licensed premises next to the public place; or
  - (c) the transport of the alcohol from outside a public place to premises next to a public place by, or for delivery to, a resident of the premises or his or her bona fide visitors; or
  - (d) the transport of the alcohol from premises next to a public place to a

place outside the public place if—

- (i) the transport is undertaken by a resident of those premises; and
- (ii) the alcohol is promptly removed from the public place.

- 6.2 This Bylaw does not limit any individual or organisation (corporate or otherwise) from obtaining a Special Licence pursuant to section 137 of the Sale and Supply of Alcohol Act 2012, for any event to be held in a Restricted Place.
- 6.3 The Chief Executive of the Western Bay of Plenty District Council or a delegated staff member may, on application by any person (including a territorial authority employee), grant a dispensation to do or refrain from doing anything that would otherwise be in breach of this Bylaw for the purpose of enabling possession and/or consumption of alcohol in a Restricted Place at anytime for a specific event. Such dispensation will only be granted for the specific time periods and specific locations associated with the event, and may be subject to conditions or requirements as the delegated staff member determines necessary to meet the objectives of the Local Government Act 2002 and the Sale and Supply of Alcohol Act 2012.
- 6.4 This Bylaw does not prohibit the possession and/or consumption of alcohol at any premises within a Restricted Place in compliance with the conditions of a license for the sale and/or consumption of alcohol under the Sale and Supply of Alcohol Act 2012. This includes footpath areas that are licenced as part of those premises and are clearly defined on an approved plan of a current and appropriate licence. The operating hours permitted by the licence must also apply at the time alcohol is being possessed or consumed within the licensed area. Such footpath areas will be required to comply with all other relevant Western Bay of Plenty District Council Bylaws.

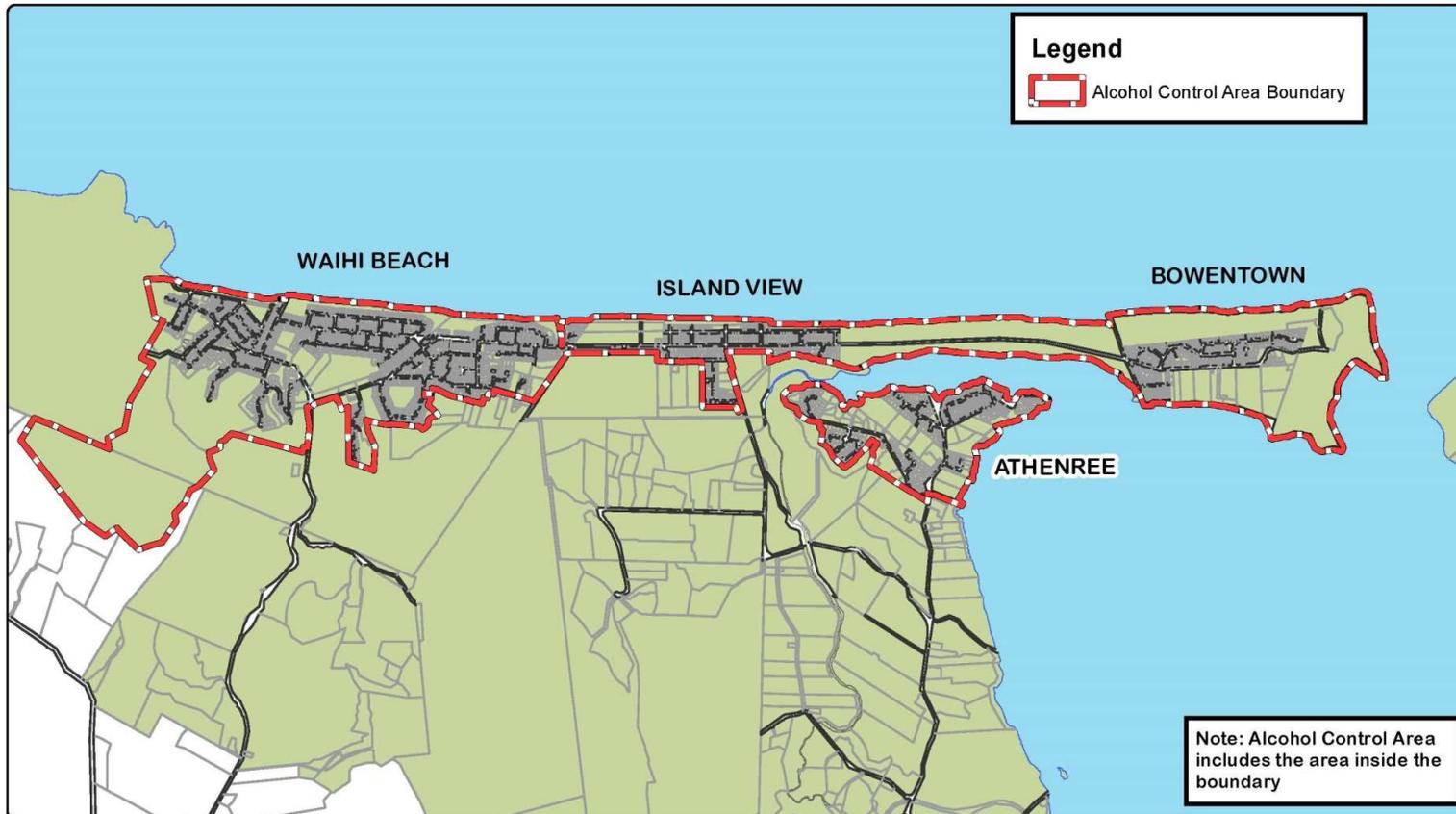
**Schedule 1: Alcohol Control Areas**

Public places within the following areas of the Western Bay of Plenty District are Alcohol Control Areas for the purpose of this Bylaw, as shown on the maps attached for:

- Waihi Beach (Map A)
- Katikati (Map B)
- Te Puke (Map C)

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### Map A – Waihi Beach



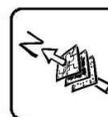
Produced using ArcMap by the Western Bay of Plenty District Council. GIS Team.  
Crown copyright reserved. LINZ digital license no. HN/352200/03 & TD093522.  
Location of services is indicative only. Council accepts no liability for any error.  
Archaeological data supplied by NZ Archaeological Assoc/Dept. of Conservation.

Email: [gis@westernbay.govt.nz](mailto:gis@westernbay.govt.nz)  
Date: 14/07/2016  
Operator: mlb  
Map: E:\Shape\MLB\2016\Alcohol Control Areas\Alcohol Control Area - Waihi Beach.mxd

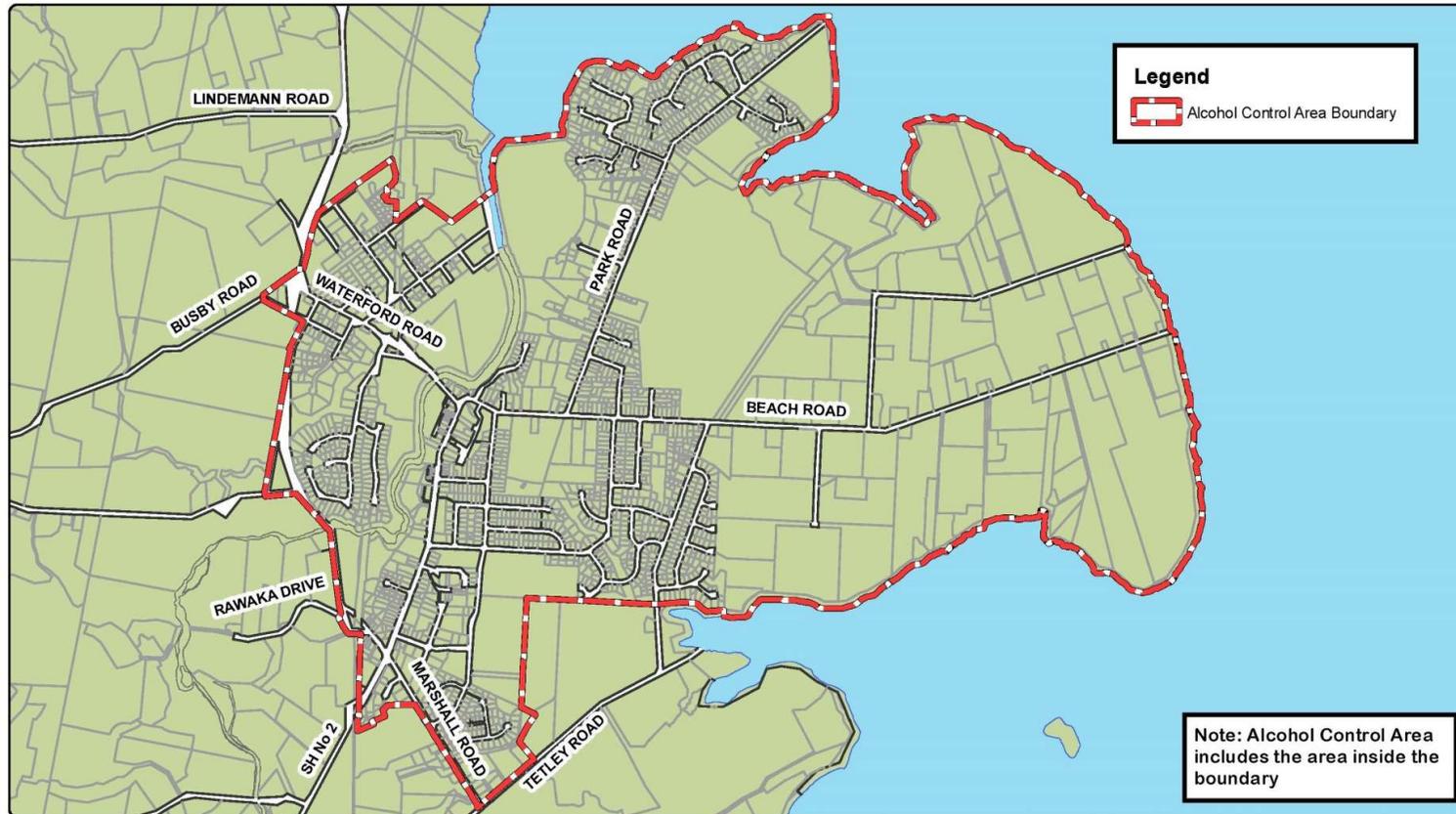
Scale A4 - 1:40,000  
0 0.5 1 2 3 Kilometers



**ALCOHOL CONTROL AREA  
WAIHI BEACH**



### Map B – Katikati



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Location of services is indicative only. Council accepts no liability for any error.  
Archaeological data supplied by NZ Archaeological Assoc/Dept. of Conservation.

Email: [gis@westernbay.govt.nz](mailto:gis@westernbay.govt.nz)  
Date: 14/07/2016  
Operator: mib  
Map: E:\Shape\MLB\2016\Alcohol Control Areas\Alcohol Control Area - Katikati.mxd

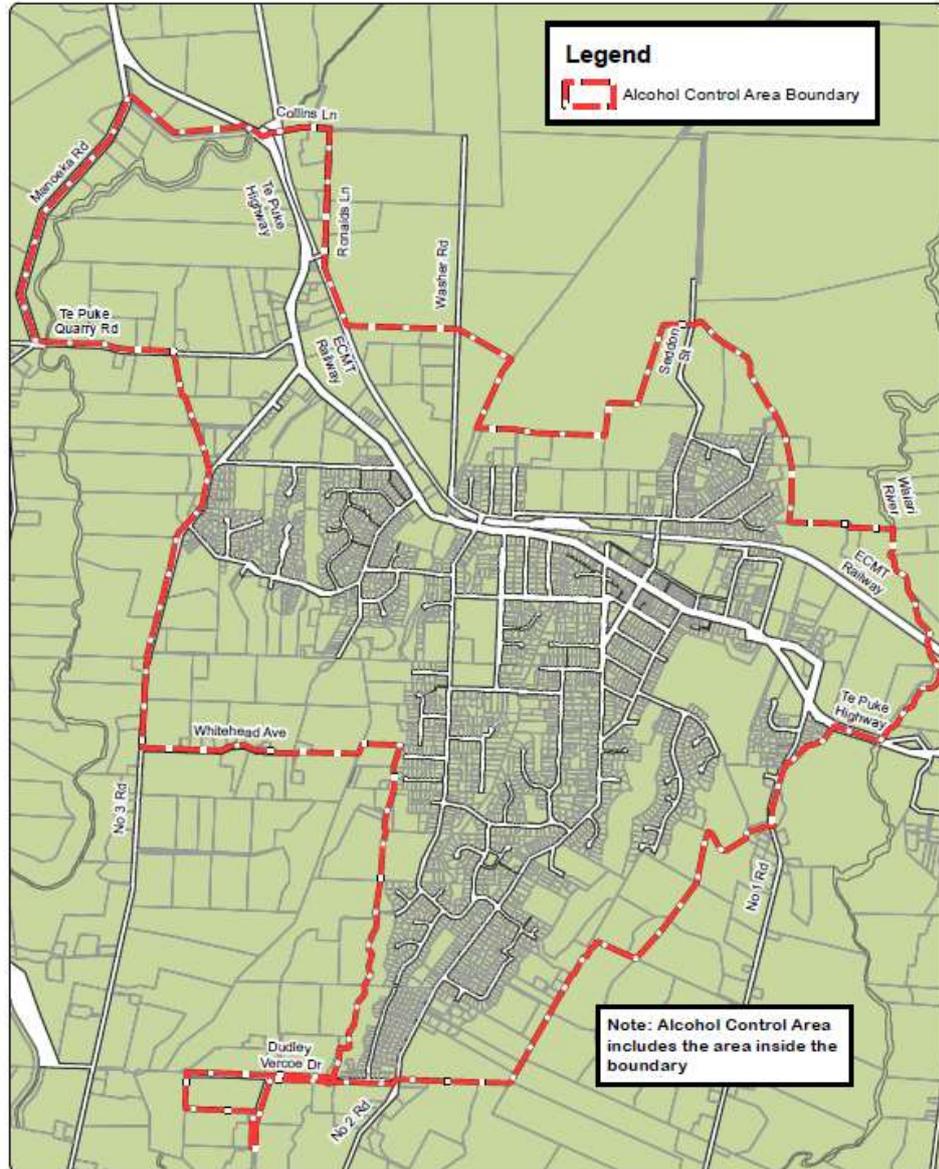
Scale A4 - 1:22,000  
0 250 500 1,000 1,500 2,000 Meters



**ALCOHOL CONTROL AREA  
KATIKATI**



### Map C – Te Puke



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Email: [gis@westernbay.govt.nz](mailto:gis@westernbay.govt.nz) Scale A4 - 1:22,000  
Date: 26/10/2021  
Operator: mfb  
Map: E:\Shapefiles\2016\Alcohol Control Areas\Alcohol Control Area - Te Puke - Updated



**ALCOHOL CONTROL AREA  
TE PUKE**



## 9.2 REVIEW OF RATES RELIEF POLICIES

**File Number:** A4476883

**Author:** Tom Rutherford, Policy Analyst

**Authoriser:** Rachael Davie, Group Manager Policy Planning And Regulatory Services

### EXECUTIVE SUMMARY

1. The Committee is asked to consider the adoption of ten of Council's rates relief policies for public consultation.

### RECOMMENDATION

1. That the Policy Analyst's report dated 10 March 2022 titled 'Review of Rates Relief Policies', be received.
2. That the report relates to an issue that is considered to be of medium significance in terms of Council's Significance and Engagement Policy.
3. That the following ten rates relief policies be adopted for public consultation in accordance with section 82, 109 and 110 of the Local Government Act 2002, alongside the draft Annual Plan 2022/2023, from 21 March to 21 April 2022. (Click link to view document)
  - a. [Rates remission on Māori freehold land;](#)
  - b. [Discount for early payment of rates in current financial year;](#)
  - c. [Rates postponement for homeowners aged over 65 years;](#)
  - d. [Rates remission for covenanted land;](#)
  - e. [Rates remission for contiguous land;](#)
  - f. [Rates remission for land used for sport and games;](#)
  - g. [Rates remission for re-zoned land;](#)
  - h. [Rates remissions for natural disasters and emergencies;](#)
  - i. [Remission of rates penalties; and](#)
  - j. [Rates postponement for financial hardship.](#)

### BACKGROUND

2. The Local Government Act 2002 gives local authorities the powers to set rates postponement and remission policies, which is reflective of the Local Government Act 2002 objective to promote decision making that reflects local preferences and circumstances.

3. Council has a statutory requirement to review rates relief policies at least once every six years, as per section 109 and 110 of the Local Government Act 2002, using a consultation process that gives effect to the requirements of section 82 of the Local Government Act 2002.
4. Council offers ratepayers the opportunity for both rate remission and postponement in accordance with its current policies. Some of these policies are now due for review. The previous review of these policies was undertaken as part of the development of the Annual Plan 2016/2017. Council also reviewed its Multiple Pan Wastewater Remission Policy and Water Rates Remission Policy alongside the Long Term Plan in 2021. Therefore, these two policies do not require review at this time.
5. Rates postponement policies allow ratepayers to defer paying their rates, with the debt being secured against the equity in their property. Postponement can be applied for the remainder of the ratepayer's life, where they have sufficient equity in their home, although the applicant can repay all or part of the postponed rates at any time.
6. Rates remission policies allow ratepayers to reduce or cease rate payments in accordance with the specific policy criteria, with no requirement to repay the amount remitted.
7. The Department of Internal Affairs (Te Tari Taiwhenua) also offers a rates rebate scheme nationwide based on strict criteria which some of our ratepayers are eligible for and receive. Council acts as a facilitator in this space.

### KEY CHANGES

8. Recent changes to the Local Government Act 2002 and the Local Government (Rating) Act 2002, through the Local Government (Rating of Whenua Māori) Amendment Act 2021, require councils to review their policies on the rating of Māori freehold land before 1 July 2022. In particular, Council's policy must support the principles in the preamble to Te Ture Whenua Māori Act 1993. The principles acknowledge that, as land is a taonga tuku iho (treasure passed down) of special significance for Māori, Council needs to provide mechanisms that enable the development of Māori freehold land for the benefit of their owners, their whānau and hapū.
9. Council's policy on rates remission on Māori freehold land needs to be reviewed to align the policy with the changes enacted under the Local Government (Rating of Whenua Māori) Amendment Act 2021.
10. These are the key changes to Council's policy that are required by the Local Government (Rating of Whenua Māori) Amendment Act 2021:
  - a) Unused Māori Freehold Land will now be non-rateable (except for any service rates i.e., for water supply and use).
  - b) Rates that the CEO considers not reasonably recoverable must be written off.

- c) Upon request, separate rating areas can be created on Māori Freehold Land and rated separately if there are dwellings.
11. Other changes that have been included into the draft policy:
    - a) Remission for Māori Freehold Land under development considered on a case-by-case basis.
    - b) Māori Freehold Land valued to exclude any potential subdivision or development potential that is unlikely to happen under Māori ownership.
  12. Following their previous extensive review through the Annual Plan 2016/2017, the remainder of the current rates relief policies are still fit for purpose and are in line with current legislative requirements. The recommendation is that these policies remain unchanged for consultation.

### **SIGNIFICANCE AND ENGAGEMENT**

13. The Local Government Act 2002 requires a formal assessment of the significance of matters and decision in this report against Council's Significance and Engagement Policy. In making this formal assessment there is no intention to assess the importance of this item to individuals, groups, or agencies within the community and it is acknowledged that all reports have a high degree of importance to those affected by Council decisions.
14. The Policy requires Council and its communities to identify the degree of significance attached to particular issues, proposals, assets, decisions, and activities.
15. In terms of the Significance and Engagement Policy this decision is considered to be of medium significance because of the nature and scope of the review, particularly because the majority of the changes made to Council's policy on rates remission on Māori freehold land are as a result of the Local Government (Rating of Whenua Māori) Amendment Act 2021.

### **ENGAGEMENT, CONSULTATION AND COMMUNICATION**

16. Given the nature and scope of the proposed changes to the rates relief policies, and the assessment of medium significance under the Significance and Engagement Policy, it's recommended that consultation should follow the principles of consultation under section 82 of the Local Government Act 2002.
17. Consultation is proposed from Monday 21 March to Thursday 21 April 2022. Consultation will be conducted alongside the draft Annual Plan. It is proposed to engage with the community through media releases and feedback via Council's Have Your Say website.
18. Staff have discussed the rates relief policies, particularly the proposed changes to the rates remission on Māori freehold land policy with staff from Tauranga City Council and Bay of Plenty Regional Council to reduce inconsistency in approach to the rating of Māori freehold land.

19. Staff discussed with the two tangata whenua forums, Te Kāhui Mana Whenua o Tauranga Moana and Te Ihu o Te Waka o Te Arawa, in early January to discuss the proposed changes to the Rates Remission on Māori Freehold Land Policy. In general, both forums were supportive of the proposed changes to the policy. Staff will continue to engage with the Tangata Whenua Forums, including a planned workshop in the consultation period to assist with any submissions.

### ISSUES AND OPTIONS ASSESSMENT

20. There are two options for consideration, the advantages and disadvantages are outlined briefly below.

<b>Option A</b>	
<b>That the Committee adopts the ten rates relief policies for consultation.</b>	
<p><b>Assessment of advantages and disadvantages including impact on each of the four well-beings</b></p> <ul style="list-style-type: none"> <li>• <b>Economic</b></li> <li>• <b>Social</b></li> <li>• <b>Cultural</b></li> <li>• <b>Environmental</b></li> </ul>	<p><u>Advantages</u></p> <ul style="list-style-type: none"> <li>• Council will be meeting its requirements, under section 109 and 110 of the Local Government Act 2002, to review rates remission and rates postponement policies every 6 years.</li> <li>• This will ensure that Council is complying with legislation relating to its policy on rates remission on Māori freehold, required by 1 July 2022.</li> <li>• The community can provide feedback on the rates relief policies and Council may reconsider its position on any matters raised.</li> </ul> <p><u>Disadvantages:</u></p> <ul style="list-style-type: none"> <li>• No significant disadvantages, given the nature of the proposed changes.</li> </ul>
<p><b>Costs (including present and future costs, direct, indirect, and contingent costs).</b></p>	<ul style="list-style-type: none"> <li>• Staff time will be required to deal with queries from the community about the proposed changes to the rates relief policies and to progress the subsequent stages of the review. These costs can be managed within existing staffing and budgets.</li> </ul>
<b>Option B</b>	
<b>That the Committee <u>does not</u> adopt the ten rates relief policies for consultation.</b>	

<p><b>Assessment of advantages and disadvantages including impact on each of the four well-beings</b></p> <ul style="list-style-type: none"> <li>• <b>Economic</b></li> <li>• <b>Social</b></li> <li>• <b>Cultural</b></li> <li>• <b>Environmental</b></li> </ul>	<p><u>Advantages:</u></p> <ul style="list-style-type: none"> <li>• Consultation costs will be delayed.</li> </ul> <p><u>Disadvantages</u></p> <ul style="list-style-type: none"> <li>• Council will not be meeting its requirements, under section 109 and 110 of the Local Government Act 2002, to review rates remission and rates postponement policies every 6 years.</li> <li>• Council's policy on rates remission on Māori freehold land will not be reviewed before 1 July 2022, as required by the Local Government (Rating of Whenua Māori) Amendment Act 2021.</li> </ul>
<p><b>Costs (including present and future costs, direct, indirect, and contingent costs).</b></p>	<ul style="list-style-type: none"> <li>• If the review of Council's rate relief policies is delayed the Committee may need to revisit issues it has already considered and more staff time may be required.</li> </ul>

### STATUTORY COMPLIANCE

21. The Local Government Act 2002 gives local authorities the powers to set rates postponement and remission policies, which is reflective of the Local Government Act 2002 objective to promote decision making that reflects local preferences and circumstances.
22. Section 109 of the Local Government Act 2002 states that a policy adopted under section 102(3)(a) must state –
  - (a) The objectives sought to be achieved by the remission of rates; and
  - (b) The conditions and criteria to be met in order for rates to be remitted.
23. Section 109 of the Local Government Act 2002 states that if a policy is adopted under section 102(3)(a) the policy –
  - (a) Must be reviewed at least once every 6 years using a consultation process that gives effect to the requirements of section 82.
24. Section 110 of the Local Government Act 2002 states that a policy adopted under section 102(3)(b) must state –
  - (a) The objectives sought to be achieved by a postponement of the requirement to pay rates; and

- (b) The conditions and criteria to be met in order for the requirement to pay rates to be postponed.
25. A policy on the remission and postponement of rates on Māori freehold land is a requirement of all councils under section 102(1) of the Local Government Act 2002. The policy must include the objectives sought by remission and the criteria in order for rates to be remitted. This is in addition to the recent requirements noted in the above key changes section that policies support the principles contained within the Preamble to the Te Ture Whenua Māori Act 1993.

### **FUNDING/BUDGET IMPLICATIONS**

26. No adverse funding/budget impacts are expected to arise as a result of the proposed changes to the policies. The review can be completed within existing budgets and resourcing.

### 9.3 ADOPTION OF THE DRAFT POLICY ON COUNCIL MAINTENANCE OF PREVIOUSLY UNMAINTAINED ROADS FOR CONSULTATION

**File Number:** A4486310

**Author:** Emily Watton, Policy and Planning Manager

**Authoriser:** Rachael Davie, Group Manager Policy Planning And Regulatory Services

#### EXECUTIVE SUMMARY

1. The purpose of this report is to present the draft Policy on Council Maintenance of Previously Unformed Roads for the Committee to consider adopting for consultation. The Committee is asked to consider proposing the revocation of the Māori Roadways Policy.
2. Consultation is intended to be undertaken in conjunction with Council's draft Seal Extension Prioritisation Policy, which was adopted in December 2021.

#### RECOMMENDATION

1. That the Policy and Planning Manager's report dated 10 March 2022, titled 'Adoption of the draft Policy on Council Maintenance of Previously Unmaintained Roads for Consultation', be received.
2. That the report relates to an issue considered to be of medium significance in terms of Council's Significance and Engagement Policy.
3. That the Committee adopts the draft Policy on Council Maintenance of Previously Unmaintained Roads set out in Attachment One for community consultation, in accordance with section 82 of the Local Government Act.
4. That the Committee proposes the revocation of the Māori Roadways Policy 2012 (Attachment Two), and notes this as part of the wider proposal for community consultation.

#### BACKGROUND

3. Through its deliberations on the Long Term Plan (LTP) 2021-31, Council increased its annual budget for seal extensions from \$1 million per year to \$2 million per year for the 10 year period of the plan. This increased budget means that more roads can be sealed. As part of its LTP decisions, Council committed to reviewing its Seal Extensions Policy to ensure the criteria for prioritising the roads to be sealed is fit-for-purpose.

4. Following review of the Seal Extensions Policy, the Policy Committee adopted its proposed Seal Extension Prioritisation Policy at its meeting on 9 December 2021, with the intention that it be released for community consultation alongside the Annual Plan 2022/23. The Committee also requested a review of the Māori Roadways Policy to be undertaken, given that the proposed Seal Extension Prioritisation Policy will enable Māori Roadways to be considered for seal extension like any other public road. This means the proposed policy would be inconsistent with the operative Māori Roadways Policy, in terms of the current requirement for a Māori Roadway to be vested with Council in order to receive upgrade works.
5. Staff were requested to undertake pre-engagement with the Tangata Whenua forums (Te Ihu o Te Waka o Te Arawa and Te Kahui Mana Whenua o Tauranga Moana) to seek early feedback on the policy review. This has been completed and feedback has been incorporated in the proposed policy approach for the Committee's consideration. The key points of feedback include:
  - Support for the removal of the requirement for a Māori Roadway to be vested in order to receive upgrade works;
  - Clarity sought for when Council would maintain Māori Roadways in the future, that are not currently maintained by Council;
  - Consideration given to access to significant sites, like urupā; and
  - Support for an approach consistent with maintenance and upgrades of public roads.
6. A subsequent workshop in mid-late February with each of Te Ihu o Te Waka o Te Arawa and Te Kahui Mana Whenua o Tauranga Moana on the draft policies signalled general support for the proposed policy approach.

## MĀORI ROADWAYS

7. Council's operative Māori Roadways Policy was last reviewed in 2012 and sets out Council's requirements for a Māori Roadway to be maintained or improved. At the moment, upgrade works (like road sealing) will only be undertaken if the road is vested with Council. Maintenance of unsealed Māori Roadways can occur if a range of conditions set out in the policy are satisfied.
8. The District includes 96 Māori roadways (total approximately 80km) laid out in accordance with section 316 of the Te Ture Whenua Māori Act. These private roads intersect with (but do not form part of) the public road network. Approximately 25 percent of Māori roadways have been formed to vehicle access standards, and 13 roadways (total 4.6km) have been maintained by Council under agreements with the owners since 2007.
9. Māori Roadways have a specific legal status and definition that is different from a private road or a public road. The Māori Land Court has the power to define or limit

who can use a Māori roadway and define or restrict the rights of the users as it sees fit. Any restrictions would be set out in an order of the Court. Unless the Māori Land Court has ordered otherwise:

- All people have the right to use a Māori roadway as if it was a public road.
  - Anyone with land adjoining a Māori roadway can use it for access.
10. Under the operative policy, the requirement to vest land has been a barrier to some Māori Roadways being sealed. Given the connection to whenua (land), as well as the long and well documented loss of land from Māori ownership, it is understandable why owners of a Māori roadway would not wish to vest land in Council but to retain their ownership. However, given that anyone has the right to use a Māori roadway as if it a public road (where there are no orders of exclusive use), there is a case for the roadway to be treated as if it were a public road in terms of maintenance and improvements.
11. Under section 22 of the Land Transport Management Act, activities relating to Māori roadways may be eligible for funding from the National Land Transport Fund if those activities are included in a Regional Land Transport Plan. The Bay of Plenty Regional Land Transport Plan 2021/31 recognises that allocation of land transport funding to Māori roadways will contribute to the Plan's long-term objectives by ensuring that Māori communities have access to a transport network that is fit for purpose and provides them with a range of travel choices.

### PROPOSED POLICY APPROACH

12. The proposed approach has taken account of this feedback, staff advice and also considered the existing policies that Council holds in this space.
13. It is considered that the approach below provides for equitable outcomes in terms of when Council would upgrade or maintain a roadway (whether Māori Roadway or public road). The proposed policy (set out in Attachment One) has been prepared on this basis for the Committee's consideration.

Sealing of Māori Roadways	Continuing to maintain an existing unsealed Māori Roadway, with agreement in place between Council and Māori landowners	Considering when Council would commence maintenance of a currently unformed Māori Roadway
Seal Extension Prioritisation Policy applies. Proposed key assessment criteria are dust	Maintained to the level of service applied to public roads in the same maintenance group category. Conditions to be	Policy for Council Maintenance of Previously Unmaintained Paper Roads criteria (as amended) would apply.

<p>exposure and traffic volumes.</p>	<p>satisfied including owner consent.</p>	<p>This would mean the same approach is applied as is for unformed public roads.</p>
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14. Based on that approach, what is proposed is:

- To broaden the scope of the Council Maintenance of Previously Unmaintained Paper Roads so it doesn't just apply to public roads but Māori Roadways too.
- For the purposes of the policy, "road" includes public road and Māori Roadways (and specifically excludes private roads).
- Add urupā to the definition of "community facility"
- Consolidate other relevant content from the existing Māori Roadways Policy into the proposed Policy on Council Maintenance of Previously Unmaintained Roads.
- To revoke the Māori Roadways Policy
- To release the draft Seal Extension Prioritisation Policy and updated Policy on Council Maintenance of Previously Unmaintained Roads for consultation, and proposed revocation of the Māori Roadways Policy as part of the same process.

**SIGNIFICANCE AND ENGAGEMENT**

15. The Local Government Act 2002 requires a formal assessment of the significance of matters and decision in this report against Council's Significance and Engagement Policy. In making this formal assessment there is no intention to assess the importance of this item to individuals, groups, or agencies within the community and it is acknowledged that all reports have a high degree of importance to those affected by Council decisions.
16. The Policy requires Council and its communities to identify the degree of significance attached to particular issues, proposals, assets, decisions, and activities.
17. In terms of the Significance and Engagement Policy this decision is considered to be of **medium** significance because of the likely level of community interest in the proposed policy changes and the likely impact on those living on roads eligible for maintenance and/or upgrades.

**ENGAGEMENT, CONSULTATION AND COMMUNICATION**

18. Consultation is intended to be in accordance with section 82 of the Local Government Act 2002, and as set out below:

<b>Interested/Affected Parties</b>	<b>Planned Consultation</b>		
Tangata Whenua	Notification of consultation to mandated hapū representatives, and a subsequent workshop with Tangata Whenua forums during consultation period (including any required support given to prepare submissions).		
General Public	Access through Have Your Say site. Media releases to promote consultation period.		

**ISSUES AND OPTIONS ASSESSMENT**

19. There are two primary options for the Committee to consider, as set out below:

<p align="center"><b>Option A</b>  <b>Adopt the draft policy on Council Maintenance of Previously Unformed Roads for consultation</b></p>	
<p><b>Assessment of advantages and disadvantages including impact on each of the four well-beings</b></p> <ul style="list-style-type: none"> <li>• <b>Economic</b></li> <li>• <b>Social</b></li> <li>• <b>Cultural</b></li> <li>• <b>Environmental</b></li> </ul>	<p>Advantages:</p> <ul style="list-style-type: none"> <li>• Gives effect to key feedback points from the Tangata Whenua forums</li> <li>• Provides an opportunity for interested people to give feedback on the proposed policy approach</li> <li>• Enables savings are in consultation costs as part of a wider and concurrent process (Annual Plan)</li> <li>• Provides clarity on when Māori roadways will be eligible for maintenance.</li> </ul>
<p><b>Costs (including present and future costs, direct, indirect and contingent costs).</b></p>	<p>Policy sets criteria as to when this would commence. Existing road maintenance budgets are sufficient to manage anticipated increase.</p>
<p align="center"><b>Option B</b>  <b>Do not adopt the draft policy on Council Maintenance of Previously Unformed Roads for consultation</b></p>	

<p><b>Assessment of advantages and disadvantages including impact on each of the four well-beings</b></p> <ul style="list-style-type: none"> <li>• <b>Economic</b></li> <li>• <b>Social</b></li> <li>• <b>Cultural</b></li> <li>• <b>Environmental</b></li> </ul>	<p>Disadvantages:</p> <ul style="list-style-type: none"> <li>• No opportunity for interested people to give feedback</li> <li>• Existing Māori Roadways Policy will remain operative, which will likely be a barrier to maintenance and improvement works being progressed.</li> </ul>
<p><b>Costs (including present and future costs, direct, indirect and contingent costs).</b></p>	<p>Māori Roadways will only be eligible for improvements if they are vested with Council.</p>

### STATUTORY COMPLIANCE

20. The recommendations of this report enable Council to comply with its obligations under the Local Government Act 2002.
21. The recommendation to undertake community consultation on the proposed policy approach enables interested people to share their views. Council can consider community views in its deliberations on the final policy.
22. Policy development is the responsibility of the Policy Committee, which has delegated authority to hear submissions to the draft policy and adopt or not adopt accordingly.

### FUNDING/BUDGET IMPLICATIONS

<b>Budget Funding Information</b>	<b>Relevant Detail</b>
Policy consultation costs	Can be met through existing operational budgets.
Roading maintenance costs for roads that are currently not maintained by Council	Policy sets criteria as to when this would commence. Existing road maintenance budgets are sufficient to manage anticipated increase.

**ATTACHMENTS**

1. **2022-03-10 Draft Policy for Council Maintenance of Previously Unmaintained Roads - PDF**  
2. **Maori Roadways Policy 2012 PDF**  

## Council Policy



### Policy for Council Maintenance of Previously Unmaintained Roads

#### 1. Relevant Legislation

- Local Government Act 2002
- Local Government Act 1974
- Land Transport Management Act 2003
- Public Works Act 1981
- Te Ture Whenua Māori Act 1993

#### 2. Definitions

<b>Dwelling</b>	means any building or structure used and occupied for human habitation or intended to be so used, but excludes mobile homes, caravans or any building or structure used solely for a seasonal vacation purpose.
<b>Community facility or activity</b>	means Marae, urupā, halls, facilities and activities for tourism, accommodation or recreation.
<b>Landowners</b>	means the registered owners or land administrators shown on the record of title for the affected property (whether General Land or Māori Freehold Land), or in the case of Māori Freehold Land as otherwise directed by the Māori Land Court.
<b>Maintenance</b>	Activities undertaken to maintain Council's specified level of service
<b>Maintenance Group Category</b>	Council's system for classifying rural roads
<b>Māori Roadway</b>	a road 'laid out' over Māori land under section 316 of Te Ture Whenua Māori Act 1993 or any equivalent Act
<b>Public Road</b>	has the same meaning as defined in the Local Government Act 1974.
<b>Unformed Road</b>	means (for the purposes of this policy) a parcel of land that is legally recognised as a Public Road or a Māori

## Council Policy



### Policy for Council Maintenance of Previously Unmaintained Roads

Roadway shown on a survey plan that is either not formed as a road, or is partly formed as a road, and is not currently maintained by Council. It explicitly excludes private roads.

#### 3. Policy Objective

- 3.1. To provide certainty around the conditions which must be satisfied before Council will assume responsibility for maintaining an Unformed Road previously unmaintained by Council.

#### 4. Background

- 4.1. The Western Bay of Plenty District roading network includes formed roads and a significant number of unformed roads.
- 4.2. The Te Ture Whenua Māori Act 1993 provides for the laying out of roadways over Māori land by orders of the Māori Land Court. Roadways over Māori land provide access over Māori land to other Māori land, or sometimes to general or Crown land. The title to the underlying land remains with the Māori landowners.
- 4.3. The Māori Land Court has the power to define or limit who can use a Māori roadway and define or restrict the rights of the users as it sees fit. Any restrictions would be set out in an order of the Court. Unless the Māori Land Court has ordered otherwise:
  - a) All people have the right to use a Māori roadway as if it was a public road.
  - b) Anyone with land adjoining a Māori roadway can use it for access.
- 4.4. Section 324A of the Local Government Act provides Council with power to maintain, repair or improve Māori roadways subject to the prior consent of the owners. Approximately 25 percent of Māori roadways in the District have been formed to vehicle access standards, and 13 Māori roadways (total 4.6km) have been maintained by Council under agreements with the owners since 2007.
- 4.5. Under section 22 of the Land Transport Management Act, activities relating to Māori roadways may be eligible for funding from the National Land Transport Fund if those activities are included in a Regional Land Transport Plan. The Bay of Plenty Regional Land Transport Plan 2021/31 recognises that allocation of land transport funding to Māori roadways will contribute to the Plan's long-term objectives by ensuring that Māori communities

## Council Policy



### Policy for Council Maintenance of Previously Unmaintained Roads

have access to a transport network that is fit for purpose and provides them with a range of travel choices.

#### 5. General Approach

5.1. Council will assume responsibility for the maintenance of an Unformed Road previously unmaintained by Council provided that:

5.1.1. Landowners for all properties whose only access to their properties is from the Unformed Road have approached Council in writing with a request for maintenance; and

5.1.2. If the Unformed Road is a Māori Roadway, Council has received written confirmation from the Māori Land Court that there is no order for exclusive use; and

5.1.3. At the time that the request is made in accordance with clause 5.1.1 the Unformed Road is already formed to such an extent that it provides satisfactory access for those vehicles servicing activities along the road, which in any event must consist of at least a single lane carriageway gravel road; and

5.1.4. The Unformed Road provides the only access for at least three dwellings on separate certificates of title where the entrances to those dwellings is no more than 500 metres apart from each other;

or

5.1.5. The Unformed Road provides the only access for at least five dwellings where the entrances to those dwellings is no more than 500 metres apart from each other.

5.2. For the purposes of calculating the number of dwellings at clause 5.1.4 and 5.1.5 above, a community facility or activity shall be deemed to be the equivalent of one dwelling.

#### 6. Where an Unformed Road is partly formed outside the legal road boundaries

6.1. If an Unformed Road has been partly formed and part or all of this formation lies outside the legal public road or Māori Roadway boundaries such that some or all of the formed road is located on private land adjoining the road parcel, Council will not agree to maintain that road unless:

## Council Policy



### Policy for Council Maintenance of Previously Unmaintained Roads

- a) the owners of the land upon which the road is formed agree through a legally binding agreement to transfer that area of land upon which the road is formed to Council at no cost in accordance with clause 6.2; or
  - b) The owners of the land upon which the road is formed agree through a legally binding agreement that the road will be formed across their land for public access in perpetuity; or
  - c) That the road is re-formed by the owners to be wholly located within the legal road boundaries
- And
- d) all other conditions set out in clauses 5.1.1 to 5.1.5 have also been met.

6.2 Where a transfer of land is required in accordance with clause 6.1.(a), that transfer will be effected by way of the usual road legalisation process provided that:

- a) The Council shall fund the necessary costs to survey and legalise the road;
- b) The landowners shall fund any legal costs they incur.

## 7. Council Discretion

7.1. If through a change in circumstances any of the conditions set out in clauses 5 and 6 are no longer able to be met, Council may, in its sole discretion cease the maintenance of the road and leave the road at the standard existing when Council assumed responsibility for its maintenance, or better.

## 8. Conditions for Ongoing Council Maintenance

8.1. When all of the conditions set out in clause 5 (and where applicable, clause 6) have been met then Council will take over the road maintenance on the following basis:

- a) Previously unformed roads will be maintained by Council's roading contractor(s) and maintained to the same level of service applied to public roads (at Maintenance Group Category 7);
- b) Unformed Roads approved for maintenance investment will be added to Council's Road Asset Management and Maintenance database schedule and included in Council's road maintenance contract.

## Council Policy



### Policy for Council Maintenance of Previously Unmaintained Roads

- c) Council will determine when to undertake any required road legalisation as set out in clause 6.

#### 9. When the Policy doesn't apply

- 9.1. This Policy does not apply if a landowner has previously reached agreement with Council (whether through a consent process or otherwise) that access to a particular property or properties will be granted without the usual requirement to form the road to Council's prescribed standards. In these cases, the obligation to maintain the road will continue to be as previously agreed.

#### Associated Council Policies and Procedures

- Western Bay of Plenty District Council's Long Term Plan;
- Western Bay of Plenty District Council's Annual Plan;
- Seal Extension Prioritisation Policy.

<b>Group</b>	Infrastructure Services	<b>Contact (3<sup>rd</sup> Tier Manager)</b>	Transportation Manager	
<b>Supersedes</b>	Council Maintenance of Previously Unmaintained Paper Roads 2014 and Māori Roadways Policy 2012			
<b>Creation Date</b>		<b>Resolution Reference</b>		
<b>Last Review Date</b>	2014	<b>Resolution Reference</b>		
<b>Review Cycle</b>	Six yearly		<b>Date</b>	Xxxxx [2028]
<b>Authorised by</b>	Policy Committee		<b>Date</b>	xxxxx [2022]

## Council Policy

### Maori Roadways 2012

<b>Activity:</b>	Transportation	<b>Maori Roadways</b>	<b>Resolution No:</b>	STP17.3 24 May 2012
<b>File Ref:</b>	25/05/001		<b>Previous</b>	P23.7 - 29.06.06 OP12.3 – 09.03.05 P21.5–10.04.06 OP20.04–05.04.07 OS10.11-5/4/12
<b>Owner:</b>	Transportation Manager		<b>For Info:</b>	

#### 1 Vesting of Maori Roadway in Council

The Council shall accept the vesting of Maori roadways in Council as public road where:

- (a) The joint owners of the land have obtained all necessary consents to alienate the land in accordance with Part VII of the Maori Land Act 1993; and
- (b) The road has been upgraded to Council's requirements and all legalisation survey work has been carried out by a registered surveyor; and
- (c) The joint owners of the land have provided a written undertaking to pay all legal and survey fees involved with the vesting of the land in Council.

#### 2 Funding of Upgrade Works for Maori Roads

The Council shall, with the written agreement of all owners or the appointed trustees, with an interest in the Maori roadway, loan fund the upgrade works necessary to make a Maori roadway comply with Council standards to enable it to vest in Council, provided that:

- (a) The capital costs of the works and any servicing costs for the loan will be recouped from those who have a direct interest in the road.
- (b) The Council shall only consider this option once the interested owners have collectively agreed to the estimated costs of the works and the method and duration of repayment\*. Confirmation of this agreement shall be provided in writing to Council.

\* This is normally achieved by way of a special rate, or a uniform annual charge.

#### 3 Maintenance of Intersections Adjoining Maori Roadways

The Council shall maintain the intersection where a public road joins a Maori Roadway where the average annual daily traffic movements on the Roadway exceed 50 through the intersection. The timing of the intersection upgrading and maintenance works will be in accordance with Council's Roading Asset Management Plan, and Long Term Plan.

#### 4 Maintenance of Maori Roadways

Council will consider maintenance of a Maori roadway to Council roading standards if it is vested in Council as a public road, in accordance with Section 1 of this policy.

**5 Consideration of Under Width Road Proposals**

The Council shall be given the opportunity to consider the acceptance of proposals for an under width road to be vested in Council as public road, prior to commencing the process to have the road vested.

**6 Maintenance of Maori Roadways (Available Procedure)**

Council will consider a request to undertake maintenance of a Maori roadway that has been "laid out" under Part XIV of the Maori Land Act 1993 (See Section 324A Local Government Act).

Council has an obligation under S324A LGA to obtain written consent of owners of Land comprising the roadway (Note: Often there are multiple owners, however in some cases Maori blocks are administered by trusts, ie one point of contact).

If Council agrees to maintain a Maori roadway, the following pre-conditions will apply:

6.1 An application signed by authorised signatories of all property owners requesting maintenance of the road is received by Council.

6.2 The application must include authorisation for Council and its agents or contractors to undertake all works necessary to maintain the road and provide drainage for the road into adjacent properties. If requested by the majority of residents, and after notifying all residents accordingly, Council will consider making an application to the Maori Land court for an easement to undertake maintenance on a roadway. The easement will not constitute a commitment by Council to maintain the road, and no compensation will be payable.

6.3 The application must provide approval for unconditional and unrestricted public access on the roadway.

6.4 The application must acknowledge that ongoing maintenance will be limited to the standard at which the maintenance responsibility is assumed by Council or its agents, and Council will not upgrade the road apart from what is desirable to facilitate maintenance.

6.5 Council will consider maintaining the road only if it serves three or more separately owned dwellings, and the road must be formed to an acceptable basic standard.

6.6 If through changing circumstances, any of the above requirements cease to apply in full, Council at its sole discretion will cease the maintenance of the road and leave the road at the standard existing when Council assumed responsibility for maintenance.

The addition of any Maori roadway to the Schedule of Maori Roadways Maintained by Council shall be by resolution of Council or committee with the appropriate delegation.

**7 Process for Vesting Maori Roadway in Council**

- Council makes application to the Court to vest Maori Road in Council
- Maori Land Court may "lay out" land for road in accordance with Part IXV, S316 MLA 1993. (This occurs in accordance with S317, Required Consents)
- Maori Land Court must make recommendation to Ministry of Transport (S320(2) MLA)
- Maori Land Court required to obtain consent from Territorial Authority and Transit New Zealand S320(2) MLA)
- Gov-General declares land (as laid out as road) by MLC as road or street by proclamation S320(1) MLA)
- Road may then vest in Council 320(5) MLA)

Relevant Legislation	Local Government Act, Maori Land Act
Relevant Plan(s)	Western Bay of Plenty District Plan, Western Bay of Plenty District Council Code of Practice for Development, LTCCP
Policy Cross Reference(s)	

### Schedule of Maori Roadways Maintained by Council.

Maori Roadway	Section	Reference	Comments
Goodall Road	RP 0 – RP 490	SV23.10	Unsealed – meets Gp7 maintenance standard. Was maintained by Council prior to 1992.
McMeeking Road	RP 0 – RP 506	SV23.10	Unsealed – meets Gp7 maintenance standard. Marae at end. Historic continuous maintenance record.
Unnamed off Rereatukahia Road	RP 0 – RP 212	SV23.10	Sealed road – Meets Gp7 maintenance standard. This is the first of the two legs. Historic continuous maintenance record and listed as Rereatukahia Road in RAMMS.
Rereatukahia Road and Rereatukahia Pa Road	RP 0- RP 516	Historic	Road name signposted incorrectly. RAMMS section covers public road (Rereatukahia Road) and second Maori Roadway (Rereatukahia Pa Road) as if one road.
School Road	RP 0 – RP 125	SV23.10	Sealed road – Meets Gp7 maintenance standard. Up to school parking area. Historic continuous maintenance record.
Strang Road	RP 425 – RP1080	SV23.10	The last 100m of maintained seal is on the Maori Roadway. The balance, up to RP 1092 was maintained by residents, including a 55m section of seal. On 28 June 2012 the OS Committee resolved to maintain to RP1080.
Waewaetutuki Road	RP 0 – RP 1109	SV23.10	Maintained to a basic Gp 7condition. The road was severely rutted and corrugated when taken over and lacks adequate drainage. Special circumstances identified 28 July 2010.
Off Kaituna River Road	RP0 – RP 250	OS14.12	Maintain to current general standard. Metalling, shaping, potholing but no upgrading as per policy.

#### 9.4 PROPOSED DRAFT KERBSIDE RUBBISH AND RECYCLING POLICY

**File Number:** A4487163

**Author:** Cheryl Steiner, Senior Policy Analyst – Consultant

**Authoriser:** Rachael Davie, Group Manager Policy Planning And Regulatory Services

#### EXECUTIVE SUMMARY

1. The Committee is asked to approve the Draft Kerbside Rubbish and Recycling Policy for community consultation. The policy provides guidance on the extension of kerbside services across the District.

#### RECOMMENDATION

1. That the Senior Policy Analyst – Consultant’s report dated 10 March 2022, titled Proposed Draft Kerbside Rubbish and Recycling Policy, be received.
2. That the report relates to an issue that is considered to be of medium significance in terms of Council’s Significance and Engagement Policy.
3. That the Policy Committee approves adoption of the Draft Kerbside Rubbish and Recycling Policy for community consultation in accordance with section 82 of the Local Government Act 2002, and alongside the Annual Plan process.

#### BACKGROUND

2. Over the last few years Council has focused on investigating alternative recycling and rubbish collection models as an action from the 2017 Waste Management and Minimisation Plan review.
3. Council consulted on options for alternative rubbish and recycling collection through the Annual Plan 2019/20 and Long Term Plan Amendment Consultation Document. Of the 552 submissions, 351 supported the preferred option for a Council-contracted service to start in 2021 and a decision was made to provide this service across approximately 80% of the District.
4. The service commenced in July 2021 and provides:
  - (a) A kerbside collection for glass and recyclables funded by a targeted rate on those households serviced.
  - (b) A kerbside collection for food scraps for urban areas only funded by a targeted rate on those households serviced.

- (c) A pay per pick-up kerbside rubbish collection.
5. Council currently services 18,073 properties consisting of 11,769 full service and 3,304 partial service.
  6. Council has indicated that it will remain responsive to any future development in the District and look at extending the services where viable and cost effective. A policy is considered the best way to do this, as it will provide clear and consistent guidance for both Council and the community. Development of this policy will enable Council to:
    - (a) Continue to recognise the significant role of kerbside services in achieving social and environmental outcomes.
    - (b) Continue to extend Council's kerbside rubbish and recycling services where this is considered practical and cost effective.
    - (c) Provide a clear pathway to respond to requests for the extension of kerbside services, and certainty on the conditions required to assess viability of these requests.
  7. The policy provides guidance on four key matters:
    - (a) Extension of full or partial kerbside services by Council
    - (b) Extension of full or partial kerbside services requested by the community
    - (c) Extension of kerbside services to commercial property.
    - (d) Requests for additional bins.
  8. The potential to provide a greenwaste collection service will be considered in the 2022/2023 review of the Waste Management and Minimisation Plan.

### **SIGNIFICANCE AND ENGAGEMENT**

9. The Local Government Act 2002 requires a formal assessment of the significance of matters and decision in this report against Council's Significance and Engagement Policy. In making this formal assessment there is no intention to assess the importance of this item to individuals, groups, or agencies within the community and it is acknowledged that all reports have a high degree of importance to those affected by Council decisions. The Policy requires Council and its communities to identify the degree of significance attached to particular issues, proposals, assets, decisions, and activities.
10. In terms of the Significance and Engagement Policy this decision is considered to be of medium significance because of the anticipated level of community interest in the ongoing role out of these services across the district.

### **ENGAGEMENT, CONSULTATION AND COMMUNICATION**

11. Consultation on the draft Policy will occur as part of the draft 2022/2023 Annual Plan process, and in accordance with section 82 of the Local Government Act 2002.

12. In addition, key stakeholders that will be directly contacted for feedback include:
- (a) EnviroWaste

**ISSUES AND OPTIONS ASSESSMENT**

13. There are two primary options for consideration by the Committee, set out below:

<b>Option A</b> <b>Adopt draft policy for consultation</b>	
<p><b>Assessment of advantages and disadvantages including impact on each of the four well-beings</b></p> <ul style="list-style-type: none"> <li>• <b>Economic</b></li> <li>• <b>Social</b></li> <li>• <b>Cultural</b></li> <li>• <b>Environmental</b></li> </ul>	<p><b>Advantages:</b></p> <ul style="list-style-type: none"> <li>• Continue to recognise the significant role of kerbside services in achieving social and environmental outcomes.</li> <li>• Provide certainty and transparency regarding Council’s approach to the extension of kerbside services.</li> <li>• Provide the opportunity for community feedback on the draft policy, and consideration of community views prior to a final policy being adopted.</li> </ul> <p><b>Disadvantages:</b></p> <ul style="list-style-type: none"> <li>• Some members of the community may not support the overall approach Council has taken to the provision of kerbside rubbish and recycling collection services.</li> </ul>
<p><b>Costs (including present and future costs, direct, indirect and contingent costs).</b></p>	<p>Some implementation costs are already funded through the Long Term Plan 2021-2031 and any additional funding required to cater to demand will be considered through future Annual Plan and Long Term Plan processes.</p>
<b>Option B</b> <b>Do not adopt draft policy for consultation</b>	

<p><b>Assessment of advantages and disadvantages including impact on each of the four well-beings</b></p> <ul style="list-style-type: none"> <li>• <b>Economic</b></li> <li>• <b>Social</b></li> <li>• <b>Cultural</b></li> <li>• <b>Environmental</b></li> </ul>	<p><b>Advantages:</b></p> <ul style="list-style-type: none"> <li>• None identified.</li> </ul> <p><b>Disadvantages:</b></p> <ul style="list-style-type: none"> <li>• No clear pathway to respond to requests for the extension of kerbside services, or certainty on the conditions required to assess viability of these requests.</li> <li>• Requests will still be received, and Council will still continue to extend services but without any clear policy framework in place to guide this.</li> </ul>
<p><b>Costs (including present and future costs, direct, indirect and contingent costs).</b></p>	<p>Some implementation costs are already funded through the Long Term Plan 2021-2031 and any additional funding required to cater to demand will be considered through future Annual Plan and Long Term Plan processes.</p>

### STATUTORY COMPLIANCE

14. The Draft Kerbside Rubbish and Recycling Policy is prepared under the Local Government Act 2002.
15. Policy development is the responsibility of the Policy Committee, which has delegated authority to hear submissions to the draft policy and adopt or not adopt accordingly.

### FUNDING/BUDGET IMPLICATIONS

16. Implementation funding is subject to Council's Annual Plan and Long Term Plan budget processes.

### ATTACHMENTS

1. **Draft Kerbside Rubbish and Recycling Policy 2022**  

## Kerbside Rubbish and Recycling Service Policy 2022

### 1. Relevant Legislation

- Waste Minimisation Act 2008
- Local Government Act 2002

### 2. Definitions

**Commercial property** – property used for business, manufacture, process, trade, market or other undertaking. For this policy, this also includes properties of a non-commercial nature located on commercial zoned land (such as residential premises and churches).

**Eligible households** – households where it has been assessed that it is practical to deliver kerbside services.

**Full kerbside service** – provision of Council kerbside services for rubbish, glass, recycling and food scraps.

**Partial kerbside service** – provision of Council kerbside services for rubbish, glass and recycling.

**Practical** – the ability for bins to be collected and for collection vehicles to safely access and manoeuvre including turn around space, and proximity to existing collection routes.

### 3. Policy Objectives

- 3.1 To continue to recognise the significant role of kerbside services in achieving waste management and minimisation outcomes being diversion from landfill, low total community cost, flexibility, user pays and improved environmental outcomes.
- 3.2 To continue to extend Council's kerbside rubbish and recycling services where this is considered practical and cost effective.
- 3.3 To provide a clear pathway to respond to requests for the extension of kerbside services, and certainty on the conditions required to assess viability of these requests.

### 4. Policy Application

#### 4.1 Extension of full or partial kerbside services

Council will extend full or partial kerbside services where it is assessed that there is suitable capacity within the kerbside service, and where it is considered practical and cost effective to do so.

affected households will be advised of this decision and the rationale for it, in advance of the service being provided.

Requests for the extension of full or partial kerbside services will be assessed against the following criteria:

- Suitable capacity within the kerbside service to accommodate increased demand.
- Practical ability for collection vehicles to access the area. Council will also consider providing the service to practical consolidation points.
- The road to be serviced adjoins or connects to an existing rubbish collection route.
- Kerbside area for presentation of bins for collection.
- A minimum of 50% of potentially eligible households on the proposed extension agree to receive the new service. The extent of area to be surveyed will be considered on a case-by-case basis.

If the extension of service is approved, all eligible households within the new area to be serviced will be included in the targeted rate for full or partial kerbside services and be eligible for Pay as You Throw rubbish collection service. A part charge may apply depending on when the service commences and how this aligns with Council's Annual Plan process.

Council reserves the right to refuse to access private or unsurfaced roads with collection vehicles.

#### **4.2 Extension of kerbside services to commercial property**

A commercial property can 'opt in' to the provision of a full or partial kerbside service with the default bin set (no special sizes will be provided).

Requests for the extension of a full or partial kerbside service to a commercial property will be assessed against the following criteria:

- Suitable capacity within the kerbside service to accommodate increased demand.
- Practical ability for collection vehicles to access the area. Main Streets in town centres are unlikely to be approved due to the practical difficulties with providing services to these areas.
- The extent of use must be equal to household use.
- Suitable space to store bins and collect waste.
- The property must be located within an existing kerbside collection route.

If the extension of service is approved, the commercial property will be included in the targeted rate for full or partial kerbside services and be eligible for Pay as You

service commences and how this aligns with Council's Annual Plan process.

#### **4.3 Requests for additional bins**

No different size bins or additional bins will be provided for rubbish, recycling and food scraps.

Council may provide an additional glass crate if requested only to households that receive a full or partial kerbside service. The household will be liable for an additional annual charge. Council's targeted rate and user fees and charges will apply.

#### **5. Associated Council Policies and Procedures**

- Western Bay of Plenty District Council's Long Term Plan
- Waste Management and Minimisation Plan
- Waste Management and Minimisation Bylaw
- Annual Schedule of Fees and Charges

10 INFORMATION FOR RECEIPT