



**SOUTH WAIRARAPA
DISTRICT COUNCIL**

Kia Reretahi Tātau

AGENDA

Ordinary Council Meeting Wednesday, 20 November 2024

I hereby give notice that an Ordinary Meeting of Council will be held on:

Date: Wednesday, 20 November 2024

Time: 10:15 am

**Location: Supper Room, Waihinga Centre, Texas Street
Martinborough**

**Janice Smith
Chief Executive Officer**

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1 KARAKIA TIMATANGA – OPENING

Kia hora te marino
Kia whakapapa pounamu te moana
Hei huarahi mā tātou i te rangi nei
Aroha atu, aroha mai
Tātou i ā tātou katoa
Hui ē! Tāiki ē!

May peace be widespread
May the seas be like greenstone
A pathway for us all this day
Let us show respect for each other
For one another
Bind us all together!

2 APOLOGIES

3 CONFLICTS OF INTEREST

4 ACKNOWLEDGEMENTS AND TRIBUTES

5 PUBLIC PARTICIPATION

6 URGENT BUSINESS

7 CONFIRMATION OF MINUTES

Ordinary Council Meeting - 30 October 2024

7.1 MINUTES OF THE COUNCIL MEETING HELD ON 30 OCTOBER 2024

Author: Amy Andersen, Lead Advisor, Democracy and Committees

Authoriser: Paul Gardner, Group Manager, Corporate Services

File Number: N/A

RECOMMENDATIONS

1. That the minutes of the Council meeting held on 30 October 2024 are confirmed as a true and correct record.

APPENDICES

Appendix 1 Minutes of the Council Meeting held on 30 October 2024

**MINUTES OF SOUTH WAIRARAPA DISTRICT COUNCIL
ORDINARY COUNCIL MEETING
HELD AT THE SUPPER ROOM, WAIHINGA CENTRE, TEXAS STREET, MARTINBOROUGH
ON WEDNESDAY, 30 OCTOBER 2024 AT 9:00 AM**

PRESENT: Mayor Martin Connelly (Chair), Deputy Mayor Melissa Sadler-Futter, Cr Martin Bosley, Cr Rebecca Gray, Cr Pip Maynard, Cr Kaye McAulay, Cr Colin Olds, Cr Alistair Plimmer (until 12:25pm) and Cr Aaron Woodcock (from 9:27am, via Teams).

APOLOGIES: Cr A Ellims.

IN ATTENDANCE: Bruce Robertson (Independent Chair – Assurance, Risk and Finance Committee); Andrea Rutene (Chair) and Violet Edwards (Māori Standing Committee).

Janice Smith (Chief Executive) Paul Gardner (Group Manager, Corporate Services), Charly Clarke (Chief Financial Officer), Rob Thomas (Manager, Stakeholder Relationships), Nicki Ansell (Senior Policy and Projects Advisor), Alex Pigou (Team Lead Communications), and Amy Andersen (Lead Advisor, Democracy and Committees).

Karen Young (Audit NZ).

CONDUCT OF BUSINESS: This meeting was held in the Supper Room, Waihinga Centre, Texas Street, Martinborough and via audio-visual conference. This meeting was live-streamed is available to view on our YouTube channel. The meeting was held in public under the above provisions from 9:00am to 12:30pm except where expressly noted.

OPEN SECTION

1 KARAKIA TIMATANGA – OPENING

All in attendance opened the meeting.

2 APOLOGIES

APOLOGY

RESOLUTION DC2024/51

Moved: Deputy Mayor M Sadler-Futter

Seconded: Cr C Olds

Council resolved to accept apologies from Cr Ellims and a late arrival for Cr Woodcock.

CARRIED

3 CONFLICTS OF INTEREST

Cr A Plimmer disclosed a conflict of interest in relation to item 16.1.

4 ACKNOWLEDGEMENTS AND TRIBUTES

There were no acknowledgements and tributes.

5 PUBLIC PARTICIPATION

There was no public participation.

6 URGENT BUSINESS

There was no urgent business.

7 CONFIRMATION OF MINUTES

7.1 MINUTES OF THE EXTRAORDINARY COUNCIL MEETING HELD ON 4 SEPTEMBER 2024

RESOLUTION DC2024/52

Moved: Deputy Mayor M Sadler-Futter
Seconded: Cr C Olds

Council resolved that the minutes of the Extraordinary Council meeting held on 4 September 2024 are a true and correct record.

In Favour: Mayor M Connelly, Deputy Mayor M Sadler-Futter, Cr M Bosley, Cr R Gray, Cr P Maynard, Cr K McAulay and Cr C Olds

Against: Nil

Abstained: Cr A Plimmer

CARRIED

8 MATTERS ARISING FROM PREVIOUS MEETINGS

There were no matters arising.

9 REPORT BACKS AND REQUESTS FROM MĀORI STANDING COMMITTEE AND COMMUNITY BOARDS

Nil reports.

AGENDA ITEM MOVED:

11.1 ADOPTION OF THE ANNUAL REPORTS 2023/24

Ms Young of Audit NZ stated that the audit has not been completed due to resourcing issues (the supervising employee had a family emergency, had to go overseas and has not yet returned work; furthermore, staff did not start the audit on time as per their original plan). Ms Young stated that this was reported to the Audit NZ Chief Executive and the Office of the Auditor General. Audit NZ, through Ms Young, apologised for being unable to provide an opinion today which affects SWDC’s ability to adopt the Annual Report 2023/24 by the statutory deadline of 30 October 2024, in line with legislative requirements.

Mr Robertson noted that other audits had been prioritised over SWDC’s, the lack of opinion had placed SWDC in a difficult position and that SWDC were not at fault for being in this unfortunate position. Mr Robertson also noted that Ms Smith and Ms Clarke had made strides in improving the management of the audit, but despite these efforts, SWDC were now non-compliant with the Local Government Act 2002.

Ms Young was asked by Mr Robertson to acknowledge the current situation and requested the Audit NZ Chief Executive send email to the Mayor, including when the opinion is received, it includes acknowledgements of the delays experienced over the course of the past two years and addressed the causes of the delays.

Mr Robertson also requested Audit NZ inform the Auditor General, that they acknowledge this situation and that they confirm it was caused by the Office of the Auditor General and does not relate to any SWDC performance issues. Mr Robertson noted that being non-compliant affects SWDC’s reputation.

Ms Young responded to queries from members including answers to Mr Roberston’s requests above. Ms Young noted that Audit NZ will provide wording for the self-reporting in the Annual Report regarding the delays, that the Auditor General had been informed already of the delays prior to this meeting and that the Audit NZ CE had offered to join the meeting and will request all information sought by Council today in writing. Ms Young also confirmed that she would let the Auditor General know that the Council meeting took place today and what was discussed with members.

Members queried Audit NZ’s awareness regarding the risks to the deadline for completing the audit on time, timely communications with SWDC and the potential recovery of payment for services, in light of the delays SWDC had experienced in the past two years (contractual obligations).

Members expressed their disappointment in delays, particularly in there not being a contingency plan to ensure the completion of the audit.

Cr Woodcock arrived to the meeting at 9:27am.

Ms Smith responded to members who queried whether SWDC could change who they use as their auditor and noted she would be following up a request to change in future.

RESOLUTION DC2024/53

Moved: Mayor M Connelly

Seconded: Deputy Mayor M Sadler-Futter

Council resolved that the item of business being discussed (the Adoption of the Annual Report 2023/24) does lie on the table and not be discussed at this meeting.

CARRIED

10 RECOMMENDATIONS FROM COMMITTEES

10.1 RECOMMENDATIONS FROM THE MĀORI STANDING COMMITTEE

Ms Rutene spoke to matters included in the report, noting that at the Māori Standing Committee meeting held on 29 October 2024, the name of the Māori ward was ratified by the Committee,.

Ms Ansell responded to queries relating to the process for the recommendation and the legality of a late submission.

Members thanked and acknowledged the Māori Standing Committee and Papawai Marae for their work on the name of the Māori ward.

RESOLUTION DC2024/54

Moved: Cr P Maynard

Seconded: Cr K McAulay

Council resolved to:

1. Accept the late submission from the Māori Standing Committee for the Representation Review Consultation.
2. Amend the name of the Māori ward from the Initial Proposal to be Te Karu o Te Ika a Māui in the Final Proposal for the Representation Arrangements in the 2025 local elections.

[Items 1-2 read together]

CARRIED

10.2 RECOMMENDATION FROM STRATEGY WORKING COMMITTEE ON THE REPRESENTATION REVIEW

Ms Ansell, supported by Mr Thomas spoke to matters included in the report.

Members queried the process for appeals and objections.

Mayor Connelly sought comments on the public notice and the recommendations.

Members queried when a review regarding the purpose and empowerment of Community Boards would take place. Ms Ansell, supported by Ms Smith noted that a workshop and a report would be completed before the next election.

RESOLUTION DC2024/55

Moved: Mayor M Connelly

Seconded: Deputy Mayor M Sadler-Futter

Council resolved to adopt the following, under sections 19H, 19J, and 19N of the Local Electoral Act 2001, as the final proposal for representation arrangements for the 2025 local elections:

1. That *Council* comprises of the Mayor, elected at large, and 10 councillors elected from wards;
2. That the South Wairarapa District be divided into four wards, representing the following Communities of interest:

Ward Representation	Communities of Interest
Greytown General Ward	The commercial and urban residential areas of Greytown, as well as surrounding rural communities.
Featherston General Ward	The commercial and urban residential areas of Featherston, as well as surrounding rural communities.

Martinborough General Ward	The commercial and urban residential areas of Martinborough, as well as surrounding rural and coastal communities.
Te Karu o Te Ika a Māui Māori Ward	The area of the whole South Wairarapa District (Māori electoral population).

3. That the names of the wards, number of councillors to be elected from each, and the population of each member represents are the following:

Ward	Number of councillors	Population	Population per councillor
Greytown General Ward	3	3,880	1,293
Featherston General Ward	3	3,320	1,107
Martinborough General Ward	3	3,780	1,260
Total General wards	9	10,980	1,220
Māori Ward	1	900	900
Total population	10	11,880	

In accordance with section 19V(2) of the Local Electoral Act 2001, the population that each General ward member represents must be within the range of 1,220 +/- 10% (1,098 to 1,342). All wards fall within the stipulated range.

4. That three community board be elected, representing the following communities:

Community Board	Area of community
Greytown	The area of the Greytown General Ward
Featherston	The area of the Featherston General Ward
Martinborough	The area of the Martinborough General Ward

Please refer to appendix 2 for the boundary map.

Each of the community boards will elect four (4) members. The communities will not be subdivided for electoral purposes. Two members will be appointed to each community board, as follows:

Community Board	Appointed members
Greytown	Two members appointed from the Greytown General Ward
Featherston	Two members appointed from the Featherston General Ward
Martinborough	Two members appointed from the Martinborough General Ward

5. Note that the decision to establish the Māori ward was affirmed at the Council meeting 4 September 2024.

6. Note that the final proposal is an amendment to the initial proposal, specifically:

- a) The number of General ward councillors is retained at 9, as per the current representation arrangement;

- b) The establishment of at large representation does not proceed, and the current ward structure is retained, with the additional of a Māori Ward.
 - c) The name of the Māori Ward is Te Karu o Te Ika a Māui.
7. In accordance with sections 19N and 19K(2) of the LEA, Council notes that the reason for the changes to the Initial Proposal arrangements are that the Representation Review 2024 Final Proposal:
- a) The proposed representation arrangements are well understood and supported by the community.
 - b) The proposed representation arrangements provide fair and effective representation to our three district general wards: Greytown, Featherston and Martinborough.
 - c) The current boundaries provide for effective representation to our communities of interest.
 - d) The proposed representation arrangement provides for greater number of Councillors to be able to provide representation to the different communities of interest in the district.
 - e) The proposed representation arrangements avoid the possibility of at large representation being dominated by one geographical area.
 - f) Feedback from submissions on the initial proposal was broadly not in favour of retaining the initial proposal.
8. That Council adopt the public notice required under legislation in the appendices, to be publicly notified by 1 November 2024.
9. Note the proposal will be open for appeals and objections from 1 November – to 1 December 2024.
10. Note that any appeals or objections will be received by South Wairarapa District Council and sent to the Local Government Commission for determination.

[Items 1-10 read together]

CARRIED

11 DECISION REPORTS FROM CHIEF EXECUTIVE AND STAFF

11.2 MEMBERS REMUNERATION AND ALLOWANCES POLICY

Ms Ansell supported by Mr Thomas spoke to matters and responded to members who queried the number of members claiming expenses, and why is there a policy (requirements of the Remuneration Authority).

RESOLUTION DC2024/56

Moved: Cr C Olds

Seconded: Cr P Maynard

Council resolved to:

1. Receive the Members Remuneration and Allowances Policy paper
2. Adopt the updated Members Remuneration and Allowances Policy.

[Items 1-2 read together]

CARRIED

Meeting adjourned at 9:57am.

Meeting resumed at 10:17am.

Cr Plimmer and Cr Woodcock were not present when the meeting resumed.

12 INFORMATION REPORTS FROM CHIEF EXECUTIVE AND STAFF

Nil reports.

13 MAYORAL REPORTS

Nil reports.

14 MEMBER REPORTS

Nil reports.

15 APPOINTMENT REPORTS

Nil reports.

16 PUBLIC EXCLUDED BUSINESS

RESOLUTION TO EXCLUDE THE PUBLIC

RESOLUTION DC2024/57

Moved: Mayor M Connelly

Seconded: Cr R Gray

That the public be excluded from the following parts of the proceedings of this meeting.

The general subject matter of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48 of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48 for the passing of this resolution	Plain English reason for passing this resolution in relation to each matter
<p>16.1 - Application for Remission of Rates in Featherston</p>	<p>s7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons</p>	<p>s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7</p>	<p>The matter is consideration of an application for remission of rates on a property, which is private to the ratepayers involved.</p>
<p>16.2 - Destination Wairarapa and Cobblestones Appointments</p>	<p>s7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that of deceased natural persons</p> <p>s7(2)(f)(i) - free and frank expression of opinions by or between or to members or officers or employees of any local authority</p>	<p>s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7</p>	<p>To protect personal information of candidates; and to enable free and frank discussion regarding candidates suitability.</p>
<p>16.3 - Recommendations from the CEO Employment Committee</p>	<p>s7(2)(a) - the withholding of the information is necessary to protect the privacy of natural persons, including that</p>	<p>s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of</p>	<p>To protect the Chief Executive’s personal employment details.</p>

	of deceased natural persons	information for which good reason for withholding would exist under section 6 or section 7	
CARRIED			

16.1 APPLICATION FOR REMISSION OF RATES IN FEATHERSTON

Cr Woodcock and Cr Plimmer returned to the meeting at 10:32am.

16.2 DESTINATION WAIRARAPA AND COBBLESTONES APPOINTMENTS

Meeting adjourned at 11:05am
Meeting resumed at 11:10am.
Cr Plimmer was not present when the meeting resumed.

16.3 RECOMMENDATIONS FROM THE CEO EMPLOYMENT COMMITTEE

Cr Plimmer returned to the meeting at 11:20am.
Cr Plimmer left the meeting at 12:25pm.

17 KARAKIA WHAKAMUTUNGA – CLOSING

All in attendance closed the meeting with a karakia.

The meeting closed at 12:30pm.

Confirmed as a true and correct record.

..... (Mayor)

..... (Date)

..... (Chief Executive)

..... (Date)

8 MATTERS ARISING FROM PREVIOUS MEETINGS

9 REPORT BACKS AND REQUESTS FROM MĀORI STANDING COMMITTEE AND COMMUNITY BOARDS

Nil

10 RECOMMENDATIONS FROM COMMITTEES

Nil

11 DECISION REPORTS FROM CHIEF EXECUTIVE AND STAFF

11.1 ADOPTION OF THE ANNUAL REPORTS 2023/24

Author: Charly Clarke, Chief Financial Officer

Authoriser: Paul Gardner, Group Manager, Corporate Services

File Number:

PURPOSE

To present for adoption the Annual Report 2023/24 (the Annual Report) and the Summary Annual Report 2023/24 (the Summary Annual Report).

EXECUTIVE SUMMARY

The draft annual report has been previously circulated and discussed at a Council briefing workshop on 9 October 2024, and via email to the Independent Chair of the Assurance and Risk Committee.

Due to the continuation of audit, the following reports will be tabled at the meeting:

- Annual Report 2023/24
- Summary Annual Report 2023/24
- Audit opinion on the Annual and Summary Reports for 2023/24
- Capex carryover for 2023/24

RECOMMENDATIONS

Officers recommend that Council:

1. Receive the *Adoption of the Annual Reports 2023/24*.
2. Note that the legislative deadline of adoption by 31 October 2024 was not met.
3. Adopt the Annual Report 2023/24.
4. Adopt the Summary Annual Report 2023/24.
5. Approve the carry over capital expenditure from the 2023/24 year to the 2024/25 year, a total value of \$6,825,894.
6. Delegate to the Chief Executive authority to correct minor grammatical and other errors.
7. Authorise the Mayor, and Chief Executive authority to sign these reports.

BACKGROUND

Audit New Zealand has completed their review of the Annual Report and the underlying information.

It is important to note the Annual Report, and the correctness of the disclosures, internal controls and the detection of fraud are the SWDC's responsibility.

The audit process is at a high level and provides an opinion on whether the financial statements show a true and fair view of the operations for the year ended 30 June and as at that date. The audit is not designed to specially look for fraud or irregularity.

DISCUSSION

A final copy of the full and summary Annual Report 2023/24 will be published on the website site maintained by SWDC.

These reports must be made available to the public within one month of adoption.

APPENDICES

Nil

11.2 WAIRARAPA LOCAL ALCOHOL POLICY

Author: Nicki Ansell, Lead Advisor, Policy & Projects

Authoriser: Paul Gardner, Group Manager, Corporate Services

File Number: NA

PURPOSE

The purpose of this report is to seek Council approval of the final Wairarapa Local Alcohol Policy Kaupapa Here Waipiro ā-Rohe o Wairarapa for adoption.

EXECUTIVE SUMMARY

Since 2018 Masterton, Carterton and South Wairarapa District Councils (the Wairarapa District Councils) have shared a joint Wairarapa Local Alcohol Policy made under sections 75 and 76 of the Sale and Supply of Alcohol Act 2012 (the Act).

The Wairarapa Policy Working Group (WPWG) has delegated authority to progress the review and make recommendations back to the Wairarapa District Councils.

Based on stakeholder feedback, research, information from health and addiction organisations, examples of other local alcohol policies from across New Zealand, and the recommendations of the WPWG staff considered the Wairarapa Local Alcohol Policy should be amended and produced a draft policy, statement of proposal and background report for consultation. This was adopted for consultation by the Wairarapa District Councils.

The Councils consulted with the community using the Special Consultative Procedure (SCP). Consultation was open from 20 September to 20 October 2024. We received 33 submissions on the draft Wairarapa Local Alcohol Policy (the Policy).

Councils must not produce a draft policy without having consulted the Police, alcohol licensing inspectors, and the Medical Officer of Health. These groups made comment on the Policy prior to consultation commencing during the review, they were also invited to provide further comment during the consultation period

If agreed by the Wairarapa District Councils, the Policy will be publicly notified and is adopted 30 days from that notification. The Policy will be provided to the Alcohol Licensing Regulatory Authority and the District Licensing Committee following adoption.

RECOMMENDATIONS

That *Council*

1. **notes** that the Wairarapa Policy Working Group heard submissions on 23 October 2024 and undertook deliberations on 6 November 2024;
2. **notes** we received 33 submissions on the draft Wairarapa Local Alcohol Policy;
3. **agrees** to the Wairarapa Policy Working Group recommendations that:
 - a) the Wairarapa District Councils agree to adopt the Wairarapa Local Policy (attachment one) and gives public notice of adoption; and

- b) the Wairarapa District Councils agree to bring the changes to off-licence maximum trading hours into force on 1 April 2025 and the rest of the Wairarapa Local Alcohol Policy into force on 1 February 2025;
4. **notes** that the Wairarapa Local Alcohol Policy will be adopted 30 days after which it is publicly notified; and
5. **notes** that the current Wairarapa Local Alcohol Policy will remain in force until the revised policy is in effect.

BACKGROUND

The Wairarapa District Councils share a joint Wairarapa Local Alcohol Policy made under sections 75 and 76 of the Act.

The Policy was first adopted in 2018 following a development process spanning five years. Having a joint Policy provides a consistent approach across the Wairarapa region. This is beneficial to both users and operators of licensed premises as residents and visitors to the region frequently travel between the different districts.

Under section 77 of the Act, a local alcohol policy (LAP) may include policies on any or all of the following licensing matters:

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

Purpose of the Wairarapa Local Alcohol Policy

The purpose of the Policy is to:

- promote safe and responsible sale, supply and consumption of alcohol;
- reflect the views of our communities regarding the appropriate location, number, hours and conditions that apply to licensed premises;
- provide certainty and clarity for applicants and the public as to whether a proposed license application meets the criteria in the LAP; and
- provide effective guidance for the decisions of the District Licensing Committee (DLC) and the Alcohol Regulatory and Licensing Authority (ARLA).

Work to Date

In February 2022, staff provided the Wairarapa District Councils with a report on the review requirements and approach. Councils agreed to delegate responsibility to the WPWG to support the review and make recommendations back to the Wairarapa District Councils.

Background research and stakeholder engagement was undertaken throughout 2022 and 2023. The review timelines were impacted due to the availability of stakeholders to provide input, primarily due to the redirection of resources to the COVID-19 response.

Staff first reported to the WPWG in January 2024. At this meeting, the WPWG were presented with research and data from the health and social sectors and a summary of feedback from key stakeholders engaged in the first phase of the review. At the meeting in August the WPWG endorsed the final draft Policy and key proposals for consultation. The Wairarapa District Councils approved the draft Policy and Statement of Proposal (Attachment 2) in September for consultation.

Consultation on the draft Policy was open from 20 September to 20 October 2024. During the consultation period, the opportunity for the community to have their say was advertised through direct emails to key stakeholders, targeted meetings, social media channels and traditional media (the Midweek newspaper). Staff also presented to the Wairarapa Community Network (WCN) and Masterton Youth Council.

Key stakeholders notified included Wairarapa licence holders, Business Wairarapa, Youth Councils and rangatahi representatives, community groups (through WCN), Pasifika o Wairarapa Trust, Wairarapa Road Safety Council, alcohol addiction services, schools and kura, and hapū, marae, iwi and hapori Māori. Each council was responsible for connecting with relevant stakeholders in their districts; South Wairarapa notified around 120 licence holders.

Councils must not produce a draft LAP without having consulted the Police, alcohol licensing inspectors, and the Medical Officer of Health. These groups were consulted during the review phase and have made comment on the draft Policy prior to community consultation commencing. We have received further comments from the Medical Officer of Health as part of this round of consultation.

Copies of the Statement of Proposal, Background Report, FAQs and submission form were available on council websites and in hardcopy at libraries and customer service centres throughout Wairarapa.

Community feedback was sought on the following options:

- Option 1 – Adopt the proposed draft Wairarapa Local Alcohol Policy (Council's preferred option)
- Option 2 – Retain the current Wairarapa Local Alcohol Policy
- Option 3 – Revoke the Wairarapa Local Alcohol Policy

The community was also given the option 1(a): adopt the proposed draft Wairarapa Local Alcohol Policy with amendments and were asked to describe the amendments.

In addition, we sought feedback on the five key proposed amendments to the policy; these were:

- **Proposal 1: Limiting the location of off-licence premises in relation to sensitive sites:** no new off-licences will be granted for premises within 100m of a sensitive site (e.g. childcare or educational facility, health care facility, marae, place of worship), unless an exemption applies;

- **Proposal 2: Reducing maximum trading hours for off-licence premises:** to reduce the maximum trading hours of off-licence premises (excluding supermarkets and grocery stores) from 7.00am – 10.00pm to 9.00am to 10.00pm;
- **Proposal 3: Special licences for events: to provide flexibility and guidance to applicants in how events are structured over the year.** This involves amending the event limit for a special licence from one event per month to 12 events in any 12-month period, with a duration limit of six months for a series of events;
- **Proposal 4: Special licences for events focused on children and young people:** to not grant special licences for events focused on children and young people aged under 18 years;
- **Proposal 5: Special licences for driving events:** to require the District Licensing Committee to have regard to the appropriateness of associating the consumption of alcohol with driving events and for applicants to put in place practicable steps to minimise the risk of driving under the influence of alcohol.

DISCUSSION

ANALYSIS AND ADVICE

Submission Summary

A total of 33 submissions were received during the consultation period. Nine submitters responded on behalf of an organisation and the remainder were made by individuals.

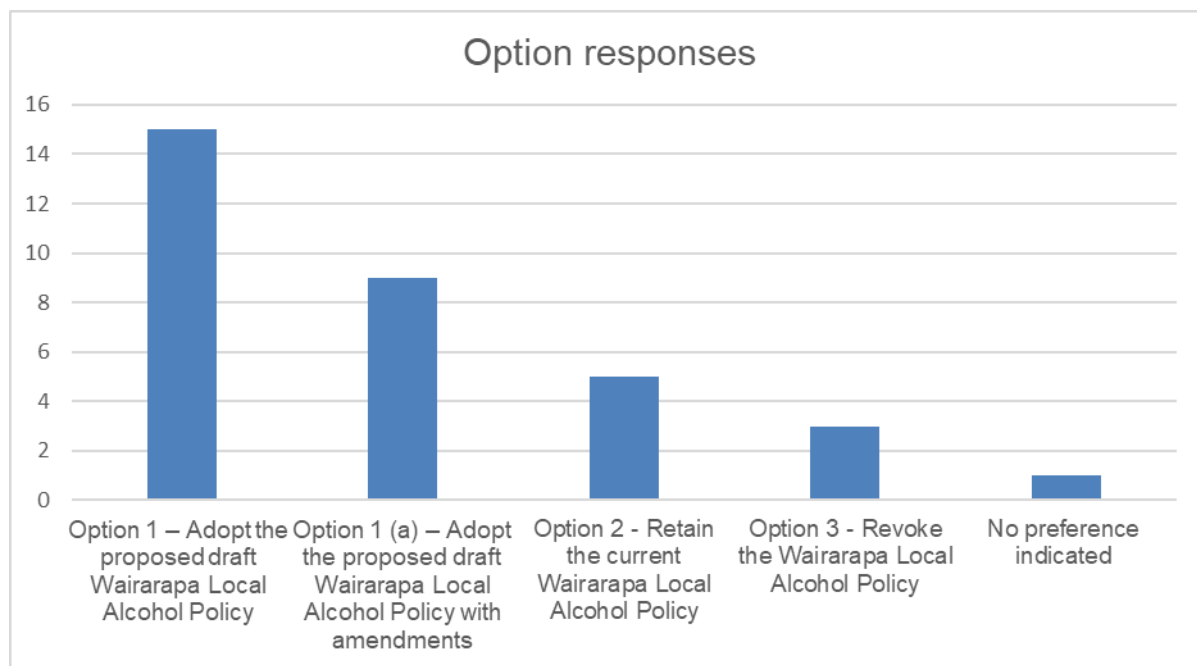
Submitter Demographics

Submitters were asked demographic questions to help staff to understand which parts of the community responded. These questions were optional and not all submitters responded.

- The largest number of submitters fell into the 70+ age group.
- Most submitters identified as NZ European (23). Three submitters identified as Māori, two as Asian and one as Pacific Peoples.
- 17 submitters identified as men and 12 identified as women.
- Most submitters did not identify as living with impairments/long term health conditions or as tāngata whaikaha/ disabled (23). Six did.
- Most submitters lived in Wairarapa: Masterton (25), South Wairarapa (4), Carterton (0). Three submitters lived outside the region.

Consultation Proposals

Submitters were presented with four options regarding the Policy. Option 1 – Adopt the proposed draft Wairarapa Local Alcohol Policy was the most supported individual option and the majority of submitters supported the proposed Policy as drafted or with amendments (24/33). Most proposed amendments were for more, rather than less regulation. Further summary of responses is outlined below.



Most submitters wanted us to adopt the proposed draft Wairarapa Local Alcohol Policy

15 submitters were in support of the proposed draft Policy. Of those submitters all supported each of the five proposals.

Nine submitters wanted Wairarapa District Councils to adopt the proposed draft Policy with amendments. Most respondents who suggested changes to the proposed draft Policy wanted increased regulation.

A small number wanted us to retain the current or revoke the Local Alcohol Policy

The Act enables councils to adopt a LAP if they wish. It is not a requirement of councils to have one. If a council does not have a LAP, then the maximum standards in the Act apply.

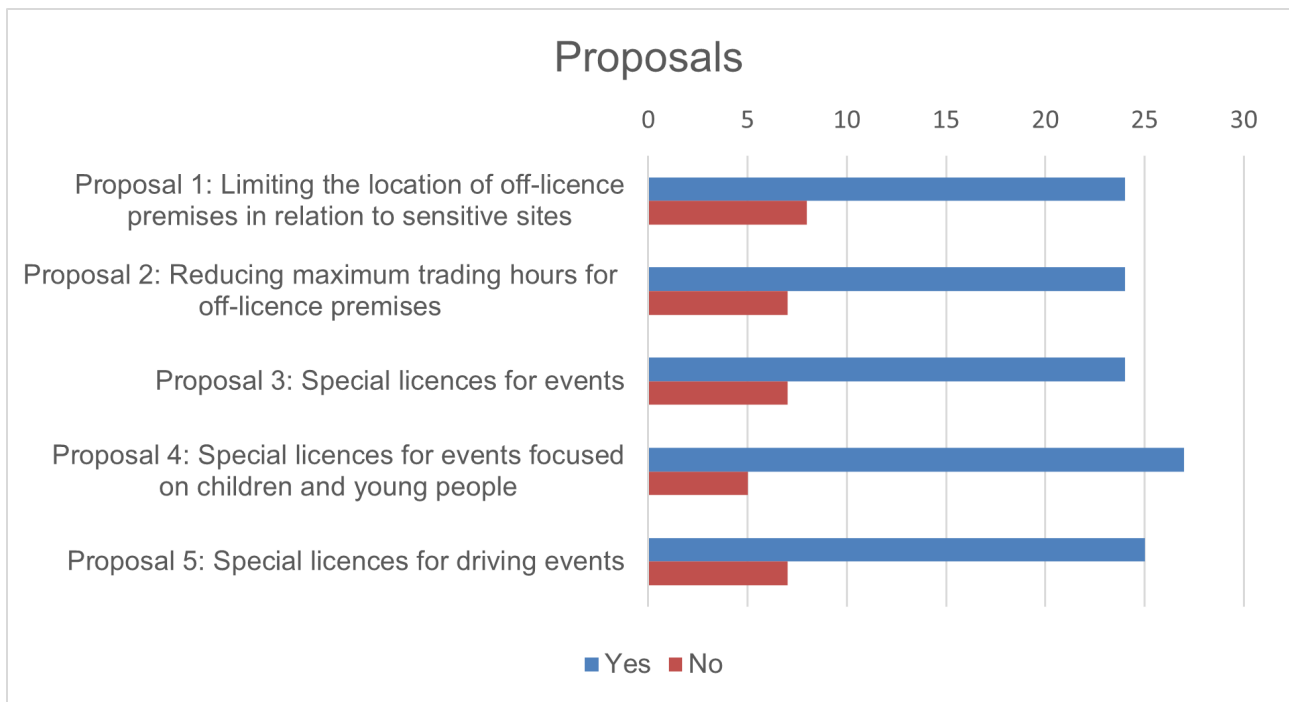
Five submitters recommended that the Wairarapa District Councils retain the current Policy. Some submitters considered that alcohol is not a problem for our community.

Three submitters recommended that the Wairarapa District Councils revoke the Policy. Their rationale was to reduce council spend on enforcing the Policy or to enable greater availability of alcohol at events. One of the submitters noted that they wanted councils to revoke the Policy but also noted they were in support of some proposals and sought further alcohol restrictions.

Some submitters provided comment on aspects outside the scope of the policy.

Proposals

There was support for all five proposals.



We consider there is sufficient support for each proposal to proceed with the changes to the Policy.

Deliberations Summary

On 6 November 2024 the WPWG considered the submissions received and further advice from staff. The WPWG also considered information and discussion from their earlier meetings in January and August. The WPWG discussed that the draft Policy was well balanced and noted that there was not a significant increase to the information provided by submitters to trigger further changes to the draft Policy.

The WPWG considered key themes from the feedback, these included:

Item considered	Submission summary	WPWG response
Increase to sensitive site limits (proposal 1)	Two submitters (including Health NZ Te Whatu Ora) recommended that we align the sensitive site limits to the Specialist Vape Retailer limits which is 300 metres.	No change proposed. Not appropriate for our local circumstances and would be a significant proximity increase for our communities.
Aligning off-licence hours for supermarkets and grocery stores (7am-10pm) with other off-licence premises (9am - 10pm) (proposal 2)	Some submitters recommended the reduction of opening hours for all off-licence premises to support minimising alcohol harm in the community. They wanted all off licences to have the same hours bringing supermarkets and grocery stores to 9am to 10pm.	No change proposed. Noted challenges for supermarket staff and differences between types of outlets. Staff to monitor over the duration of the Policy and provide options at the next review.
Further reducing off-licences closing hours (proposal 2)	Some submitters recommended that consideration be given to further reducing the maximum trading hours for all off-licence from 10pm to 9pm closing (9am to 9pm).	No change proposed. Consider hours of 9am to 10pm appropriate for our districts. Staff to monitor over the duration of the Policy and provide options at the next review.
Discretionary conditions for off-licences	Some submitters recommended the inclusion of further discretionary conditions in the Policy regarding: Remote sales/ delivery, including the ability to require a warning label on the outside of the package. No external display of alcohol products or pricing including flags, sandwich boards or any mobile signage. Restrict the methods of payment of Buy Now, Pay	No change proposed. Some of the proposed conditions required further national direction and research before we take a position on the appropriateness of including these as example discretionary conditions (payment and non-alcoholic products). However, not including certain discretionary conditions in a LAP doesn't restrict the DLC's ability to impose reasonable

	<p>Later schemes which entice the consumer with a much lower upfront price.</p> <p>Limit single sales of alcohol (beer, cider, RTDs, premixed shots).</p> <p>Ban the sale of non-alcoholic products that pose a high risk of alcohol-related harm (e.g. beer pong cups).</p> <p>One submitter recommended the removal of discretionary conditions from the Policy.</p>	<p>condition that are not inconsistent with the Act.</p> <p>Including examples of what conditions might be considered is not constraining the DLC as they are free to consider any condition that is consistent with the Act. The ultimate decision as whether to impose any example conditions provided in the draft Policy remains discretionary and subject to the merits of each case.</p> <p>Staff to monitor over the duration of the Policy and provide options at the next review.</p>
<p>Density limits (e.g. sinking lid, cap) for off-licences.</p>	<p>Six submissions provided commentary on the number of alcohol outlets in the region (either in their written submission or at the Hearing). Some sought the provision of no new licences or a cap on licences, others sought a cap in deprivation areas.</p>	<p>No change proposed. Previously considered as outlined in the Statement of Proposal and no new information provided to suggest a change was necessary.</p> <p>Staff to monitor over the duration of the Policy and provide options at the next review.</p>

The WPWG considered key themes from the feedback, these included:

The Wairarapa Policy Working Group recommends councils adopt the Local Alcohol Policy

At the deliberations the WPWG endorsed the five key proposed changes. In addition, the WPWG recommended:

- the Wairarapa District Councils agree to adopt the draft Wairarapa Local Alcohol Policy (Attachment 1) and gives public notice of adoption; and
- the Wairarapa District Councils agree to bring the changes to off-licence maximum trading hours into force on 1 April 2025 and the rest of the Wairarapa Local Alcohol Policy into force on 1 February 2025.

OPTIONS CONSIDERED

The table below outlines the options available to Council.

Option	Advantages	Disadvantages
<p>1 Adopt the Policy (recommended option)</p>	<ul style="list-style-type: none"> - This option has been recommended by the WPWG. - Most submitters supported the proposed Policy and five proposals. - The Policy takes a community wellbeing and harm reduction approach. - The Policy was developed in consideration of the harm and economic/social benefits of consuming alcohol. - The flow and readability has been improved. - The Policy will support greater consistency across the Wairarapa region. 	<ul style="list-style-type: none"> - Some submitters may not feel their feedback has been considered. - May be perceived as restrictive by some applicants/licensees due to additional criteria.
<p>2 Do not adopt the Policy with a preference to adopt a Policy with amendments (alternative option)</p>	<ul style="list-style-type: none"> - Advantages dependent on extent of changes. - May receive support from a small number of submitters who preferred an alternative option. 	<ul style="list-style-type: none"> - This option would involve referring back to the WPWG for reconsideration. - Disadvantages dependent on extent of changes. - May not receive support from most submitters who supported the proposals. - Significant changes may be inconsistent with the consultation proposals and trigger a requirement for further community consultation and research which would delay the review.
<p>3 Retain current Policy (alternative option)</p>	<ul style="list-style-type: none"> - Supported by a small number of submitters (5 submitters / 15%). 	<ul style="list-style-type: none"> - This option would involve referring back to the WPWG for reconsideration. - Does not respond to stakeholder feedback received from early engagement period. - Council may not proceed with proposed policy amendments despite consulting on changes

Option		Advantages	Disadvantages
			and receiving majority support for the five key proposals. <ul style="list-style-type: none"> - The proposed policy has been developed in consideration of alcohol related harm and the social/economic benefits. - Does not take advantage of opportunities to clarify existing aspects of the policy that are unclear or applied inconsistently throughout Wairarapa.
4	Revoke the current Policy (alternative option)	- No advantages identified.	<ul style="list-style-type: none"> - This option would involve referring back to the WPWG for reconsideration. - Most submitters may not feel their feedback has been considered. - Would be in contradiction to advice from the Medical Officer of Health, Police and licencing inspectors. - May lead to an increase in alcohol related harm. - Would not offer protective factors for our communities most at risk of alcohol related harm - Would be a significant shift from the Wairarapa District Councils current position.

RECOMMENDED OPTION

Option 1: Adopt the Wairarapa Local Alcohol Policy is recommended. The amendments aim to support a reduction in alcohol-related harm and to ensure the Policy is easily understood by the community, staff and the DLC. This option also aligns with the recommendations of the WPWG.

If Council prefers an alternative option, it is recommended to refer back to the WPWG for reconsideration. This is because they have delegated authority to support the review and have developed a breadth of understanding of the issues. This would delay the review.

NEXT STEPS

The Policy can only be adopted after the finalised Policy has been publicly notified in accordance with Section 80 of the Act. The Policy will be adopted 30 days from the public notice date, and can be brought into force after this date. However, not all parts of the Policy can come into force straight away. Amendments that relate to one way door restrictions or maximum trading hours can only come into force three months after the date of public notice (see section 90 of the Act).

The proposed timeframes for the public notice, adoption, and the Policy being in force are set out below.

Proposed timeframes for adoption of the Wairarapa Local Alcohol Policy	
Council Meetings Finalise proposed Policy	20 November / 11 December
Public notification of finalised Policy	16 December 2025
Policy comes into force (excluding changes to maximum trading hours)	1 February 2025
Policy (maximum trading hours) comes into force	1 April 2025

Carterton District Council and Masterton District Council are considering adopting the Policy on 11 December 2024.

Following adoption, the Policy will be published on the Council websites and notification will be sent to submitters, licence holders and stakeholders that were informed of the consultation.

A copy will also be provided to the Alcohol Regulatory & Licensing Authority and District Licencing Committees.

Following adoption councils will discuss monitoring and reporting of aspects of the Policy to ensure we can provide accurate and helpful data and information for the next review.

COMPLIANCE SCHEDULE

Full consideration has been given to the provisions of the Local Government Act 2002 S77 in relation to decision making, in particular:

1. A Local authority must, in the course of the decision-making process,
 - a) Seek to identify all reasonably practicable options for the achievement of the objective of a decision; and
 - b) Assess the options in terms of their advantages and disadvantages; and
 - c) If any of the options identified under paragraph (a) involves a significant decision in relation to land or a body of water, take into account the relationship of Māori and their culture and traditions with their ancestral land, water sites, waahi tapu, valued flora and fauna and other taonga.
2. This section is subject to Section 79 - Compliance with procedures in relation to decisions.

Compliance requirement	Staff assessment
State the level of significance (high or low) of the issue or proposal as determined by	This is a matter of low/medium significance.

<p>the Council's Significance and Engagement Policy</p>	<p>The Act sets out the review process and requires councils to consult using the SCP.</p> <p>No further consultation is required on the Policy. No further changes are proposed.</p> <p>Following the adoption, the Policy will be publicly notified and available on each council website. Each council will be responsible for informing licence holders in their districts and update website information to include relevant changes.</p> <p>Those who submitted on the draft Policy will be contacted and provided information regarding the adoption of the Policy</p>
<p>State the relevant Council policies (external or internal), legislation, and/or community outcomes (as stated in the Long Term Plan) that relate to this decision.</p>	<p>This report complies with The Local Government Act 2002 (LGA 2002). The Act states that one of the purposes of councils is to promote the social, economic, environment and cultural well-being of communities, in the present and for the future. Section 11 of LGA 2002 provides that the role of councils is to give effect to their purpose and perform the duties and exercise the rights conferred on them by, or under, LGA 2002. Section 23 of the Health Act 1956 also states that it is the duty of every council to improve, promote and protect public health within its district.</p>
<p>State the possible implications for Māori and how Māori have been provided with an opportunity to contribute to decision making if this decision is significant and relates to land and/or any body of water.</p>	<p>The following implications for Māori include:</p> <p>The Policy is a regulatory tool to help manage the harm caused by excessive or inappropriate consumption of alcohol which affects all our community. Māori are overrepresented in alcohol harm statistics and health agencies recognise local alcohol policies as an important tool to help minimise these adverse effects.</p> <p>We promoted the consultation opportunity ensure that mana whenua, Te Hauora Rūnanga o Wairarapa, and Māori health and social services providers had an opportunity to submit on the Policy. We will also provide notification of the final Policy to our iwi entities.</p> <p>Two submitters identified as Māori, accounting for six per cent of the submissions received.</p>
<p>Chief Financial Officer review</p>	<p>The Chief Financial Officer has not reviewed this report.</p> <p>The budget for the review is split across the Wairarapa District Councils according to the Wairarapa Shared Services Funding Policy, under the 'joint policy development' activity. The cost allocation is 52 per cent Masterton District Council, 20 per cent Carterton District Council and 28 per cent South Wairarapa District Council.</p> <p>Council's contribution towards the costs associated with the review are being met from within existing operational budgets.</p>

	The enforcement of the Policy is through councils’ respective Environmental Health teams and met from existing baselines.
State the possible implications for health and safety	The amendments in the Policy aim to support a reduction in alcohol-related harm. The Police and Medical Officer of Health were both consulted during the review of this policy. To revoke or retain the current policy would see greater implications for health and safety.

APPENDICES

Appendix 1 Wairarapa Local Alcohol Policy Kaupapa Here Waipiro ā-Rohe o Wairarapa

Appendix 2 Wairarapa Local Alcohol Policy Statement of Proposal



Wairarapa Local Alcohol Policy Kaupapa Here Waipiro ā-Rohe o Wairarapa

First Adopted:	1 August 2018
Latest Version:	X 2024 (Version 2) (TBC)
Adopted by:	Masterton (X 2024), Carterton (X 2024) and South Wairarapa District Councils (X 2024) (TBC)
Effective:	1 February 2025 (TBC) Maximum Trading Hours 1 April 2025
Review Date:	December 2030 (TBC)

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OVERVIEW

1. GENERAL FRAMEWORK | ANGA WHĀNUI

- 1.1. The Sale and Supply of Alcohol Act 2012 (the Act) puts in place a system of control over the sale and supply of alcohol to achieve the objectives of the Act.
- 1.2. The objectives of the Act are to encourage the safe and responsible sale, supply and consumption of alcohol and to minimise the harm caused by the excessive or inappropriate consumption of alcohol.
- 1.3. Alcohol Related Harm has a very broad definition in the Act. In summary, it relates to harm to society generally or the community as a result of the inappropriate or excessive consumption of alcohol.
- 1.4. The Act sets out national rules for the sale and supply of alcohol. These provide a baseline for control over the sale and supply of alcohol. Where there is no Local Alcohol Policy in force, the national rules apply. Some of the national rules are mandatory including national maximum trading hours, the drinking age, manager training and vetting, and actions to minimise the risk of alcohol related harm such as providing free drinking water, ensuring food and low or non-alcoholic beverages are available, and providing information about transport options.
- 1.5. The Act allows local authorities, in consultation with its community, to develop a Local Alcohol Policy dealing with the sale and supply of alcohol as it relates to its local area. The Act sets out what local authorities can and cannot include in their Local Alcohol Policy. A Local Alcohol Policy can modify and refine some of the national rules to reflect the circumstances of the local area and introduce other local requirements. For example, a Local Alcohol Policy may limit the location and control the density of licences or impose conditions on particular types of licences or restrict or extend the maximum trading hours set in the Act.
- 1.6. A Local Alcohol Policy can be more restrictive than the Wairarapa Combined District Plan, but it cannot authorise anything that is forbidden by that plan. A Local Alcohol Policy must be consistent with the Act, and the law in general.
- 1.7. Local authorities may also choose to join together and adopt a single Local Alcohol Policy for the benefit of 2 or more local councils. The Wairarapa Local Alcohol Policy (the Policy) is a joint Local Alcohol Policy between the Masterton, Carterton, and South Wairarapa District Councils. The Policy deals with matters relating to alcohol licensing for the benefit of the Wairarapa region.

2. PURPOSE | PŪTAKE

- 1.8. The purpose of the Policy is to:
 - a) promote the safe and responsible sale, supply and consumption of alcohol by putting in place a system of control that is applicable to the Wairarapa region;
 - b) reflect the views of our communities regarding the appropriate location, total number of premises, trading hours and conditions that apply to licensed premises;
 - c) provide certainty and clarity for applicants and the public as to whether a proposed licence application meets the criteria in the Policy; and
 - d) provide instruction to the District Licensing Committee (DLC) and the Alcohol Regulatory and Licensing Authority, which they must have regard to when making decisions on all licensing matters for each district.

3. SCOPE | WHĀNUITANGA

APPLICATION OF POLICY

- 3.1. The Policy applies to all applications for licences, including renewals of licences issued under previous versions of the Policy, from the date the Policy comes into force.
- 3.2. If a Policy has been adopted, any conditions in the Policy that relate to a modification of existing maximum trading hours or a modification of a one-way door restriction cannot come into force straight away. The date to bring that part of the Policy into force may be stated by resolution, but it cannot be a date that is earlier than the day that is three months after the day that public notice of the Policy is given. The rest of the Policy or amendments may be brought into effect on any day stated by resolution.

GENERAL CRITERIA FOR LICENSING APPLICATIONS

- 3.3. There are four types of licences referred to in the Act. These are as follows:
 - a) on-licence;
 - b) off-licence;
 - c) club licence; and
 - d) special licence.
- 3.4. Decisions on applications for licences (including renewals) are made by DLCs. DLCs may refer an application to the Alcohol Regulatory and Licensing Authority for a decision.
- 3.5. As well as having regard to the Policy, when making a decision on whether to issue an on, off, or club licence, the DLC must also have regard to the criteria set out in section 105 of the Act. This includes, but is not limited to the following:
 - the object of the Act;
 - the suitability of the applicant;
 - the days on which and the hours during which the applicant proposes to sell alcohol;
 - the design and layout of the premises;
 - whether the applicant provides goods and services other than those related to the sale of alcohol, low alcohol refreshments, non-alcoholic refreshments and food;
 - whether the amenity and good order of the locality would be likely to be reduced, to more than a minor extent, by the effects of the issue of the licence;
 - whether the amenity and good order of the locality are already so badly affected by the existing licences that they would be unlikely to be reduced further by the effects of the issue of the licence;
 - whether the applicant has the appropriate systems, staff and training to comply with the law;
 - any matters dealt with in any report from the Police, an inspector, or a Medical Officer of Health made under section 103.
- 3.6. For renewal applications, DLCs must consider the above criteria in clause 3.5 (excluding those relating to amenity and good order) and the criteria set out in section 131 of the Act, which includes:
 - whether (in its opinion) the amenity and good order of the locality is likely to be increased by more than a minor extent, by the effects of a refusal to renew the licence; and

- the manner in which the applicant has sold, displayed, advertised or promoted alcohol.
- 3.7. When deciding whether to issue a special licence, a DLC must have regard to the criteria set out in clause 3.5 above (excluding those relating to amenity and good order of a locality that is already badly affected by the existing licence) and the criteria set out in section 142 of the Act, which includes:
- the nature of the particular event for which the licence is sought;
 - any areas of the premises that the applicant proposes should be designated as restricted areas or supervised areas;
 - any steps the applicant proposes to take to ensure that the requirements of the Act in relation to the sale and supply of alcohol to prohibited persons are observed;
 - the applicant's proposals relating to;
 - the sale and supply of non-alcoholic drinks and food;
 - the sale and supply of low alcohol drinks;
 - the provision of help with or information about alternative forms of transport from the premises.
- 3.8. A DLC may refuse a licence, or grant it but with conditions, if the issue of the licence, or the consequences of the issue of the licence, would be inconsistent with the Policy.
- 3.9. Renewal of a licence may be declined if the renewal would be inconsistent with any density or location policy in the Policy, or conditions imposed if the renewal of licence, or the consequences of the renewal of licence, would be inconsistent with the Policy.
- 3.10. As well as the above legislative criteria, when making decisions, DLCs may also consider relevant case law and Alcohol Regulatory and Licensing Authority practice notes and guides.
- 3.11. DLCs cannot take into account the impacts of a new or renewed licence on business conducted by an applicant under any other licence.
- 3.12. A licence may not be issued for any premises unless the location of that premises complies with the provisions of the Wairarapa Combined District Plan or a Resource Consent that has been granted or it complies with Section 10 of the Resource Management Act 1991, where there are existing use rights.
- 3.13. The Act requires DLCs to consider the effects of proposed new premises on the amenity and good order of the locality when considering a licence application.

4. OFF-LICENCE POLICY | KAUPAPA HERE RAIHANA Ā-WAHO

INTRODUCTION

- 4.1. An off-licence is where the licensee can sell alcohol for consumption somewhere else. Common examples include supermarkets and bottle stores.
- 4.2. This section of the Policy does not apply to premises for which off-licences are endorsed under sections 39 (auctioneers) or 40 (remote sellers) of the Act.

LOCATION OF PREMISES BY REFERENCE TO PROXIMITY TO FACILITIES OF A PARTICULAR KIND OR KINDS

- 4.3. Except as allowed by clause 4.5, no new off-licence will be granted for a premises which is located within 100 metres of a Sensitive Site¹. This setback is measured from the legal property boundary of the Sensitive Site to the legal property boundary of the proposed premises.
- 4.4. Clause 4.3 does not apply to:
 - a) supermarkets or grocery stores²;
 - b) an application for renewal of an existing off-licence for any type of premises;
 - c) an application for renewal of an existing off-licence for any type of premises when after a licence has been issued and prior to renewal, a Sensitive Site has moved to a location within 100 metres of an existing licensed premises;
 - d) an application for an off-licence for a premises whose operator has an existing off-licence, but where the business operated from the premises is sold or transferred to a new owner/entity³.
- 4.5. Where an applicant for a new off-licence for a premises in a location that is within 100 metres of the legal property boundary of a Sensitive Site (and the applicant is not one of the groups set out in clause 4.4) can demonstrate to the DLC that it has limited the exposure to alcohol sales and marketing and Alcohol-Related Harm to the people who use the Sensitive Site by meeting the following criteria:
 - a) there is no external display of alcohol related signage/advertising;
 - b) there is no internally placed display of alcohol related signage/advertising that is visible to people from outside the premises;
 - c) there is an ID 25 Policy on the premises;then the DLC may (at its discretion) determine whether that applicant is exempt from clause 4.3.
- 4.6. In considering an application under clause 4.5, the DLC may impose other reasonable discretionary conditions prescribing steps to be taken by the licensee to ensure the exposure to alcohol sales and marketing and Alcohol-Related Harm to the people who use the Sensitive Site is limited (i.e. over and above those specified in clause 4.5(a) to (c)).

¹ 4.3 ensures that those who use Sensitive Sites are not exposed to alcohol promotion and signage when at those Sensitive Sites. Refer to section 77(1)(c) of the Act.

² Supermarkets and grocery stores are exempt from clause 4.3 because section 114 of the Act prevents supermarkets and grocery stores from displaying, promoting or advertising alcohol products in a way that can be seen outside of the premises. There are no equivalent controls in the Act on external signage for other off-licences.

³ In this situation, the new business owner/entity would be required to apply for a new off-licence but is exempt from clause 4.3.

MAXIMUM TRADING HOURS

4.7. The following maximum trading hours apply to off-licence premises in the Wairarapa region and include all off-licence sales including over the counter sales:

MAXIMUM TRADING HOURS OFF-LICENCE PREMISES (Monday to Sunday)		
Area	Opening	Closing
Supermarkets and Grocery Stores	7.00am	10.00pm (the same day)
All Other Off-Licences	9.00am	10.00pm (the same day)

DISCRETIONARY CONDITIONS FOR OFF-LICENCES

4.8. In addition to the mandatory conditions for off-licences outlined in section 116(2) of the Act, under section 116(1) and 117 of the Act, the DLC may issue any off-licence subject to any reasonable conditions not inconsistent with the Act. Conditions relating to the following matters may (as well as any other reasonable conditions) be appropriate for off licences:

- a) supervised designation of all bottle stores to ensure unaccompanied minors do not enter bottle stores;
- b) application of the principles of Crime Prevention through Environmental Design (CPTED)⁴ to implement the following:

Closed-Circuit Television (CCTV)	CCTV being installed in suitable locations to monitor vulnerable areas (areas which are not easily or continuously monitored by staff). Customers being made aware of the CCTV systems.
Lighting	Internal lighting of the premises to enable informal or organised surveillance by staff or trained personnel, and electronic surveillance by CCTV. Lighting to allow customers to be seen as they enter the premises. Lighting to allow staff to check identification. External areas such as car parks and loading bays being well lit, subject to the requirements of any resource consent or Wairarapa Combined District Plan rule.
Internal layout	General points of sale to be positioned near the main entrance. Relevant staff understanding of how to operate the CCTV system. Sufficient numbers of staff to ensure control of the premises during trading hours.

- d) at least 50% of any store front glazing shall be transparent, consistent with CPTED;
- e) and no more than 30% of the external area of any side of the premises may contain alcohol-related signage or advertising, excluding the company name.

4.9. External alcohol-related signage must comply with the signage requirements outlined in the Wairarapa Combined District Plan.

⁴ Refer to the National Guidelines for Crime Prevention through Environmental Design in New Zealand Parts 1 &2 (Ministry of Justice)

5. ON-LICENCE POLICY | KAUPAPA HERE RAIHANA Ā-ROTO

INTRODUCTION

- 5.1. An **on-licence** is where the licensee can sell and supply alcohol for consumption on the premises and can let people consume alcohol there. Common examples include hotels, taverns and restaurants.
- 5.2. Policies in this Policy relating to on-licences also apply to bring your own restaurants and caterers as referred to in sections 37 and 28 of the Act (respectively).

MAXIMUM TRADING HOURS

- 5.3. The following maximum trading hours apply to on-licence premises in the Wairarapa region (other than hotel in-bedroom (mini-bar) sales):

MAXIMUM TRADING HOURS ON-LICENCE PREMISES (Monday to Sunday)		
Area	Opening	Closing
All On-Licences	8.00am	1.00am (the following day)

- 5.4. The following hours apply to hotel in-bedroom (mini-bar) and or Lodgers sales in the Wairarapa region:

MAXIMUM TRADING HOURS (Monday to Sunday)	
Area	
Hotel Mini Bars and/or Lodgers	24 Hours

DISCRETIONARY CONDITIONS FOR ON-LICENCES

- 5.5. In addition to the mandatory conditions for on-licences outlined in section 110(2) of the Act, under sections 110(1) and 117 of the Act, the DLC may issue any on-licence subject to any reasonable conditions not inconsistent with the Act. Conditions relating to the following matters **may** (as well as other reasonable conditions) be appropriate for on-licences:
 - a) one way door restrictions from a specified time;
 - b) specify the range of food, non-alcohol and low-alcohol drinks to be provided;
 - c) specify limits on the number of drinks per customer at specified times;
 - d) no serving in glass containers at specified times;
 - e) restrictions on the wearing and/or display of gang paraphernalia;
 - f) restrictions on the use of outdoor areas after ‘x’ hour, e.g. outdoor speakers are prohibited after ‘x’ hour;
 - g) require licensed outside areas to be monitored;
 - h) require a management plan for the management of patrons in outdoor areas to minimise impacts on the amenity of near-by properties;
 - i) conditions relating to management such as:
 - j) certificated staff required if the occupancy exceeds a prescribed number or if recommended by

Police or the Inspector;

- k) requirement for multiple managers for large events and/or establishments.

5.6. The following condition may be appropriate for on-licensed premises such as a BYO restaurant:

- a) the holder of a manager's certificate to be on duty during busy periods e.g. Thursday, Friday and Saturday nights.

6. CLUB LICENCE POLICY | KAUPAPA HERE RAIHANA KARAPU

INTRODUCTION

6.1. A **club licence** is where the licensee can sell and supply alcohol to Authorised Customers for consumption on the club premises.

MAXIMUM TRADING HOURS

6.2. The following maximum trading hours apply to premises with a club licence in the Wairarapa region:

MAXIMUM TRADING HOURS (Monday to Sunday)	
Area	Opening and Closing
All Club Licences	<p>Maximum trading hours for club licences will be considered on a case by case basis but will generally not exceed 8.00am* until 11.00pm (the same day) for Sports Clubs and 8.00am* until 1.00am (the following day) for other Clubs.</p> <p>*6.00am on ANZAC Day only for those hosting ANZAC celebrations</p>

DISCRETIONARY CONDITIONS FOR CLUB LICENCES

6.3. In addition to the mandatory conditions for club licences outlined in section 110(2) and under sections 110(1) and 117 of the Act, the DLC may issue any club licence subject to any reasonable conditions not inconsistent with the Act. Conditions relating to the following matters (as well as any other reasonable conditions) may be appropriate for club licences depending on the size and nature of the club:

- a) one way door restrictions from a specified time;
- b) specify the range of food, non-alcohol and low-alcohol drinks to be provided;
- c) require licensed outside areas to be monitored;
- d) require a management plan for the management of patrons in outdoor areas to minimise impacts on the amenity of near-by properties;
- e) require the holder of a manager’s certificate to be present when alcohol is available for sale during busy periods e.g. more than X people are on the Club premises. For large events or establishments, a number of licensed managers may be specified.

7. SPECIAL LICENCE POLICY | KAUPAPA HERE RAIHANA MOTUHAKE

INTRODUCTION

- 7.1. A **special licence** can be either an on-site or off-site special licence:
- a) **On-Site Special Licence:** an on-site special licence is where a licensee can sell or supply alcohol for consumption on the premises to people attending an event described in the licence. Common examples include at a community event, or when a bar has a special licence to open earlier/close later for a significant event.
 - b) **Off-Site Special Licence:** an off-site special licence is where a licensee can sell the licensee's alcohol for consumption somewhere else, to people attending an event described in the licence.
- 7.2. No special licence will be issued where a permanent or variation of a permanent licence is more appropriate.
- 7.3. Any special licence for a series of events should not be for a period exceeding 6 months.
- 7.4. Generally, no premises should have more than 12 events under a special licence in any 12-month period. The DLC will require the multiple events named in a special licence application to be related in some way. Examples include a theatre group performing several performances over several days, or an organisation holding a series of quiz nights.

SPECIAL LICENCES: EVENTS FOCUSED ON CHILDREN AND YOUNG PEOPLE

- 7.5. Special licences will not be granted for events focused on children and young people. An event focused on children and young people is an event that is centred around under 18-year-olds. This includes but is not limited to children's sports games, school galas, school kapa haka events, etc.

SPECIAL LICENCES: DRIVING EVENTS

- 7.6. When deciding on whether or not to issue a special licence for a driving event, as well as having regard to the general criteria for issuing a special licence in section 142 of the Act, the DLC shall have regard to the appropriateness of associating the consumption of alcohol with driving events. Applicants must demonstrate they have put in place practical steps to minimise the risk of driving under the influence of alcohol. Where this cannot be effectively demonstrated, a licence may not be issued.
- 7.7. Minimising the risk of driving under the influence could include (but is not limited to⁵):
- a) provision of breathalysers or alcohol testing during the event;
 - b) provision of help with or information about sober drivers or alternative transport available to take participants home;
 - c) a reasonable range of food available at a reasonable price;
 - d) reduced prices for non-alcoholic beverages;
 - e) maximum number of serves per person; and/or
 - f) continuous supply of free drinking water.

⁵ See also the Guidelines for managing alcohol at large events published by Health New Zealand Te Whatu Ora published September 2020.

MAXIMUM TRADING HOURS

7.8. The hours (opening and closing) and duration of a special licence are set at the discretion of the DLC for each event, having regard to the nature of the event, or series of events, as assessed on a case-by-case basis.

MAXIMUM TRADING HOURS (Monday to Sunday)	
Area	Opening and Closing
Special Licences	Maximum trading hours and the duration of special licences will be considered on a case-by-case basis.

DISCRETIONARY CONDITIONS FOR SPECIAL LICENCES

7.9. In addition to the mandatory conditions for special licences outlined in section 147(3) of the Act, the DLC may issue a special licence subject to any reasonable conditions not inconsistent with the Act. Conditions relating to the following matters (as well as any other reasonable conditions) **may** be appropriate for special licences:

- a) specify the range of food, non-alcoholic and low-alcohol drinks to be provided;
- b) alcoholic drinks to be sold by the glass or plastic container only;
- c) areas to be clearly defined/cordoned off/demarcated where alcohol is being sold/consumed outside of the building e.g. beer tent. Where appropriate people are to remain within the defined area;
- d) require licensed outside areas to be monitored;
- e) require a management plan for the management of patrons in outdoor areas to minimise impacts on the amenity of nearby properties;
- f) one way door restrictions from a specified time;
- g) the holder of a manager’s certificate is to be present when alcohol is available for sale. For large events or establishments, multiple managers may be specified;
- h) restrict BYO alcohol and require security to check the public for alcohol as they arrive and confiscate any alcohol found;
- i) where an event is taking place within an alcohol ban area require signage at the event exit to remind the public that when they leave the event, they will be entering an alcohol ban area;
- j) for events with over 400 attendees, or as otherwise considered appropriate:
 - i. require an Alcohol Management Plan in a form acceptable to the DLC. The plan should identify alcohol related risks as they apply to the event and state how these will be mitigated; and
 - ii. specify the maximum number of alcoholic drinks per sale transaction, as appropriate.

8. DEFINITIONS| KUPUTAKA

For further details refer to the section of Sale and Supply of Alcohol Act 2012 (Act) that is referenced.

Act	means the Sale and Supply of Alcohol Act 2012;
Alcohol Regulatory and Licensing Authority (ARLA)	means the Alcohol Regulatory and Licensing Authority continued in existence by section 169(1) of the Act (previously called the Liquor Licensing Authority);
Alcohol-Related Harm	is defined widely and includes crime, damage, death, disease, disorderly behaviour, illness or injury, and harm to individuals or the community, either directly or indirectly caused or contributed to, by the excessive or inappropriate alcohol consumption;
Authorised Customers	has the meaning given to it under section 60(3) of the Act;
Bar	has the meaning given to it under section 5(1) of the Act;
Bottle Store	means retail premises where, in the opinion of the DLC, at least 85% of the annual sale revenue is expected to be earned from the sale of alcohol for consumption somewhere else (section 32(1)(ii) of the Act);
Child/Children	means a person under the age of 18;
Childcare Facility	means the use of land and/or buildings (or part of them) regularly for the provision of early childhood education for 11 or more children (in addition to the children resident on the site or children of the persons providing the education or care and not including children enrolled at a school who are being provided with education or care before or after school) under the age of 6 years, by day (or part of a day). It includes, but is not limited to a creche, kindergarten, playcentre, childcare centre or kohanga reo;
Event focused on children and young people	means an event centred around under 18-year-olds. This includes but is not limited to Children’s sports games, School galas, School kapa haka events;
Club	has the meaning given to it under section 5(1) of the Act;
Club Licence	has that meaning given to it by section 21 of the Act;
DLC	means the District Licensing Committee as appointed by each of the three Wairarapa Councils pursuant to section 186 of the Act;
Educational Facility	means the use of land and/or buildings (or part of them) for the provision of regular instruction or training and includes Schools, tertiary educational institutions, works skills training centres, outdoor education centres, before or after-school care centres, youth-oriented facilities, recreation and sports training activities;
Grocery Store	means the premises has the characteristics normally associated with shops of the kind commonly thought of as grocery shops; and comprises premises where a range of food products and other household items is sold; but the principal business carried on is or will be the sale of food products (refer section 33 of the Act);
Healthcare Facility	Means the use of land and/or buildings (or part of them) for the provision of essential medical, physical and mental heal services, as well as any addiction treatment facilities. This includes but is not limited to any pharmacy, dental surgery, health clinic, hospital;

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(1) of the Act);
LAP	means a Local Alcohol Policy dealing with the sale and supply of alcohol as it relates to its local area;
Library	means the Council operated libraries located in Carterton, Masterton and South Wairarapa;
On-Licence	has that meaning given to it by sections 14, 15 and 16 of the Act;
Off-Licence	has that meaning given to it by section 17, 18, 19, and 20 of the Act;
Place of Worship	Means any church, mosque or other facility designed primarily for worship and related religious activities;
Playground or Recreational Facility	means the use of land and/or buildings (or part of them) for a park, playground, sealed courts, gymnasiums or for any other recreational purpose, maintained by Council for recreation purposes;
The Policy	Means the Wairarapa Local Alcohol Policy being a joint local alcohol Policy between the Masterton, Carterton, and South Wairarapa District Councils;
Premises	has the meaning given to it under the Act;
Reserve	has the meaning given to it by the Reserves Act 1977;
Restaurant/café	means premises that— (a) are not a conveyance; and (b) are used or intended to be used in the course of business principally for supplying meals to the public for eating on the premises (refer section 5(1) of the Act);
Sensitive Site	means any Playground or Recreational Facility, Childcare Facility, Reserve, Educational Facility, Healthcare Facility, Place of Worship, marae, or any other area or facility that the DLC determines (in its discretion), as a sensitive site having regard to the inherent nature or vulnerability of the people using that area or facility, and the desirability to protect the users of those areas or facilities from exposure to alcohol related sales or marketing or Alcohol Related Harm;
School	Includes any primary, intermediate or secondary school and any Kura Kaupapa;
Special Licence	has that meaning given to it by section 22 of the Act;
Sports Club	means a Club that has, as a key objective, participation in or promotion of a sport for purposes other than financial gain;
Supermarket	means premises with a floor area of at least 1000m ² (including any separate departments set aside for such foodstuffs as fresh meat, fresh fruit and vegetables, and delicatessen items) (refer section 5(1) 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(1) of the Act) i.e. an airport bar is not treated as a tavern for alcohol licensing purposes);
Wairarapa	for the purpose of this Local Alcohol Policy, Wairarapa refers to the territorial areas made up of the Masterton, Carterton and South Wairarapa District Councils.

9. REVIEW OF POLICY |HERENGA AROTAKE KAUPAPA HERE

9.1 The Policy can be amended or revoked at any time subject to appropriate consultation processes being followed. The Policy must be reviewed every six years using the special consultative procedure.

RELATED DOCUMENTS

- Wairarapa Combined District Plan
- Masterton District Council Alcohol Control Bylaw
- Carterton District Council Liquor Control Bylaw
- South Wairarapa District Council Alcohol Control Bylaw

REFERENCES

- Sale and Supply of Alcohol Act 2012
- National Guidelines for Crime Prevention through Environmental Design in New Zealand Parts 1 &2 (Ministry of Justice)
- Guidelines for Managing Alcohol at Large Events (Te Whatu Ora Health New Zealand) published September 2020

VERSION CONTROL

Date	Summary of Amendments	Approved by
2018	First adopted	Masterton, Carterton and South Wairarapa District Councils
2024	Amendments included: limiting the location of off-licence premises in relation to sensitive sites; reducing maximum trading hours for off-licence premises (excluding supermarkets and grocery stores) from 7.00am – 10.00pm to 9.00am to 10.00pm, and reviewed special licence guidance for: <ul style="list-style-type: none"> • events across the year to provide flexibility and guidance to applicants in how events are structured over the year; • events focused on children and young people under 18; and • driving events: to require the DLC to have regard to the appropriateness of associating the consumption of alcohol with driving events. 	Masterton, Carterton and South Wairarapa District Councils

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WAIPIRO Ā-ROHE O WAIRARAPA

WAIRARAPA LOCAL ALCOHOL POLICY REVIEW: STATEMENT OF PROPOSAL





KUPU WHAKATAKI INTRODUCTION

This Statement of Proposal has been prepared in accordance with section 83 of the Local Government Act 2002.

It includes the following sections:

- Background
- Our Proposal
- Summary of key proposals
- Options considered by Councils
- What else has been considered
- How you can have your say
- What happens next.

The Wairarapa Local Alcohol Policy is due for review. We are proposing some changes and would like your feedback to ensure the policy reflects the views of the community. Consultation closes

4.00pm Sunday 20 October 2024.

HOROPAKI BACKGROUND

The Sale and Supply of Alcohol Act 2012 (the Act) enables local councils to develop and adopt a local alcohol policy. The Masterton, Carterton and South Wairarapa District Councils (the Wairarapa District Councils) adopted a joint policy in 2018.

What is a Local Alcohol Policy?

The Act puts in place a system of control over the sale and supply of alcohol to encourage the safe and responsible sale, supply and consumption of alcohol and to minimise the harm caused. The Act sets out national rules that apply.

A local alcohol policy enables local councils, in consultation with its community, to modify and refine some of the national rules to reflect local circumstances. It enables communities to have greater influence over when, where and how alcohol is sold. Licensing bodies must consider the policy when they make decisions about alcohol licensing applications.

Local alcohol policies may include policies on the following licensing matters:

- the location of licensed premises in particular areas or near certain types of premises or facilities such as near schools, marae or churches;
- the density of licences by specifying whether further licences or types of licences should be issued for premises in the district or parts of the district;
- maximum trading hours;
- conditions on licences such as a 'one-way door' restriction which allows patrons to leave premises but not enter or re-enter after a certain time.

Local alcohol policies can only contain policies relating to alcohol licensing. This means they cannot place restrictions on who can purchase alcohol or constraints on the products themselves. They also cannot alter restrictions relating to the age of purchase, types of marketing or price of alcohol.

The purpose of the Wairarapa Local Alcohol Policy (the policy) is to:

- promote the safe and responsible sale, supply and consumption of alcohol in the Wairarapa region;
- reflect the views of our communities regarding the appropriate location, number, trading hours and conditions that apply to licensed premises;
- provide certainty and clarity for applicants and the public as to whether a proposed licence application meets the criteria in the policy; and
- provide effective guidance for licensing decisions of the District Licensing Committee and the Alcohol Regulatory and Licensing Authority.

What is a licence?

A licence allows the holder to sell and supply alcohol. There are four types of licences and each type has specific criteria attached to it by the Act.

Licence type	Description	Example
On-Licence	The licensee can sell and supply alcohol for consumption on the premises and can let people consume alcohol there.	Pub, restaurant, café
Off-Licence	The licensee can sell alcohol for consumption somewhere else e.g. at home	Supermarket, bottle store
Club Licence	The licensee can sell and supply alcohol for consumption at the club premises to members or authorised affiliates or guests of the club	Sports club, RSA, working men's club
Special Licence	The licensee can sell and supply alcohol at events. It may be used to extend operational hours or to licence one-off events.	Festivals, events in public spaces

What has been considered in reviewing the policy?

In reviewing the policy, the Wairarapa District Councils have considered the following in accordance with requirements under section 78(2) of the Act:

- objectives and policies of the Wairarapa Combined District Plan
- number of licences, and the location and opening hours of premises
- alcohol ban areas
- residents' demographics
- tourists or holiday-makers demographics
- health indicators of Wairarapa residents; and
- nature and severity of alcohol-related problems.

The Councils have also consulted key stakeholders including the Police, alcohol licensing inspectors and Medical Officer of Health.

Key findings from our background research

- Wairarapa has had a net increase of 23 licensed premises since the policy was introduced in 2018 - 17 in South Wairarapa, four in Masterton and two in Carterton. The growth in South Wairarapa has largely been driven by increases in Martinborough and Greytown which are areas that tourists to the Wairarapa tend to visit.
- Wairarapa has a higher proportion of people who consumed alcohol in the past year than elsewhere in the country (87.9 per cent average for Wairarapa compared to 80.4 per cent nationally).
- Almost 30 per cent of people aged 15 – 24 years in Wairarapa were identified as 'hazardous drinkers'¹.
- Communities in deprived areas are at greater risk of alcohol-related harm and around half (52 per cent) of police-recorded alcohol harm in Wairarapa occurs in a private residential setting. The next most common location is a public space (38 per cent).
- There has been an increase in the number of alcohol-related driving offences. Wairarapa accounted for 15 per cent of alcohol-related driving offences in the greater Wellington region in 2023, up from 11 per cent in 2015.
- Wairarapa's alcohol attractions play a significant role in its tourism offer. Tourism accounted for 6.1 per cent of tourism related employment in Wairarapa in 2023, up from 5.0 per cent in 2015.

The Background Report which addresses the above requirements and informed the policy review is available on the Council websites: mstn.govt.nz, cdc.govt.nz or swdc.govt.nz

¹ Hazardous drinking' refers to an established alcohol drinking pattern that carries a risk of harming the drinker's physical or mental health or having harmful social effects on the drinker or others.

TĀ TĀTOU TONO OUR PROPOSAL

The Wairarapa District Councils consider that, on the whole, the policy is working well. However, we are proposing some changes based on the findings of our research and feedback from stakeholders to better achieve the purpose of the policy taking into account up to date research and local circumstances. The amendments also aim to ensure the policy is easily understood by the community, staff and the District Licensing Committee. The draft policy is available on the council websites.

Summary of key proposals

The key proposed changes are summarised below.

Description of Proposal	Reason for Proposal
<p>Proposal 1: Limiting the location of off-licence premises in relation to sensitive sites <i>Refer clauses 4.3 to 4.5 of the draft Policy and the Definitions section</i></p>	
<p>No new off-licences will be granted for premises within 100m of a sensitive site, unless an exemption applies. A sensitive site includes sites such as a childcare or educational facility, playground or recreational facility, healthcare facility, marae, a place of worship.</p> <p>Applications relating to existing off-licence premises are exempt. An exemption may also apply if the premises limits the exposure to alcohol sales and marketing and alcohol-related harm to the people using the sensitive site. This includes supermarkets and grocery stores because the Act prevents them from advertising alcohol products in a way that can be seen outside of the premises.</p> <p>The restriction has not been applied to on-licence premises. On-licence premises have additional host responsibilities that help minimise alcohol-related harm and are recognised for their contribution to Wairarapa’s tourism offer.</p>	<p>Reduces exposure to alcohol promotion for people who use sensitive sites which supports a reduction in alcohol-related harm. This aligns with feedback from stakeholders who advocated for the policy to provide protections for certain users, such as those visiting rehabilitation centres.</p> <p>Introducing a definition of sensitive sites into the policy will also provide clarity to the community, licensing inspectors and the District Licensing Committee should a licence application be opposed by the community on the basis of it being in close proximity to a sensitive site.</p> <p>The exemptions ensure an appropriate balance between harm reduction and minimising impacts to existing local businesses.</p>

Description of Proposal	Reason for Proposal
<p>Proposal 2: Reduced maximum trading hours of off-licence premises <i>Refer clause 4.7 of the draft Policy</i></p>	
<p>We are proposing to amend the maximum trading hours for off-licence premises from 7.00am to 10.00pm to 9.00am to 10.00pm.</p> <p>This excludes supermarkets and grocery stores which retain the hours of 7.00am to 10.00pm. Retaining 7.00am for supermarkets and grocery stores recognises that the sale of alcohol is not the primary purpose of these stores. This time provides for the convenience of shoppers carrying out their normal grocery purchases at this time.</p>	<p>The current policy modified the default national trading hours from 11.00pm to 10.00pm but did not reduce the start time. Reducing maximum trading hours is one tool councils can use to reduce the availability and accessibility of alcohol. This is supported by key stakeholders.</p> <p>Research shows that most alcohol consumed, is purchased from off-licence premises. Alcohol available from off-licence premises (e.g. RTDs) can also be a popular option for our communities at risk of alcohol-related harm (i.e. youth).</p> <p>Most off-licence premises (excluding supermarkets and grocery stores) do not advertise opening hours from 7.00am. This change therefore better reflects our local circumstances and ensures we do not see increased availability in future. It is also consistent with guidance on an effective local alcohol policy².</p>

² [Effective Local Alcohol Policy Guidelines \(Alcohol Healthwatch\)](#)

Description of Proposal	Reason for Proposal
<p>Proposal 3: Special Licences for events <i>Refer clauses 7.2 to 7.4 of the draft Policy</i></p>	
<p>A special licence is used to sell and supply alcohol to people attending an event. The Act does not allow a special licence where a permanent or variation of an existing permanent licence (e.g. on-licence) is more appropriate.</p> <p>The current policy considers one entertainment evening per month as reasonable before a permanent or variation to a permanent licence should be applied for. We have proposed an amendment to state that premises should not have more than 12 events under a special licence in any 12-month period, or that a special licence for a series of events should not exceed a period of six months.</p>	<p>New and emerging tourism means that events at certain times of the year are becoming more common, such as those associated with Matariki or Dark Skies over the summer.</p> <p>We have heard from some parts of our community that one event per month may not provide sufficient flexibility to applicants in how events are structured throughout the year. Amending the policy from one entertainment evening per month to a maximum of 12 events in a 12-month period increases flexibility for applicants in how they structure their events over the year, while not increasing the overall volume of events permitted. A six-month limit for a series of events provides guidance to applicants and the District Licensing Committee on how long a series of events may extend for.</p>
<p>Proposal 4: Special licences for events focused on children and young people <i>Refer clause 7.5 of the draft Policy</i></p>	
<p>The policy has been amended to state that special licences will not be granted for events focused on children and young people aged under 18 years old. Examples include children’s sports games, school galas and school kapa haka events.</p> <p>The age limit aligns with the legal age to purchase alcohol which is 18 years.</p>	<p>Statistics show that the prevalence of drinking is high among young people and the Health Promotion Agency states that “people who are exposed to alcohol marketing are more likely to start drinking at a younger age or participate in hazardous drinking behaviours.” The World Health Organisation (WHO) includes bans on exposure to alcohol advertising as one of the five ‘best buys’ for reducing alcohol-related harm³.</p> <p>This proposal offers protective factors for children and young people from exposure to alcohol promotion. It also supports a consistent approach being taking throughout Wairarapa and aligns with Council run events for children and young people which are increasingly becoming alcohol free.</p>

³ [Te Hīringa Hauora, Health Promotion Agency, statement on Alcohol advertising, promotion and sponsorship \(2022\)](#)

Description of Proposal	Reason for Proposal
<p>Proposal 5: Special Licences for driving events <i>Refer clauses 7.6 and 7.7 of the draft Policy</i></p>	
<p>We have proposed an amendment to state that in considering licence applications, the District Licensing Committee shall have regard to the appropriateness of associating the consumption of alcohol with driving events. Applicants must also demonstrate they have put in place practical steps to minimise the risk of driving under the influence of alcohol. Examples include providing information about alternative transport available, continuous supply of free-drinking water, and/or food available at a reasonable price.</p> <p>Driving events include demonstrations or events where cars drive in convoy together from location to location.</p>	<p>Evidence shows that alcohol is a key contributing factor in vehicle related crashes, with NZ Police stating alcohol and/or drugs are a factor in about a third of all fatal crashes⁴. There has also been an increase in the number of alcohol related driving offences in Wairarapa– up from 235 offences in 2015 to 332 offences in 2023⁵.</p> <p>This proposal supports a preventative approach to managing the potential risk of driving under the influence of alcohol.</p>

Alongside these key proposals, we have also proposed updates to improve the flow and readability of the policy. In doing so we have simplified the General Framework section and reordered some clauses and sections, such as moving the Definitions section to the end of the policy.

⁴ [NZ Police, Being safe on the road - rules and reasons](#)

⁵ [NZ Police, Road policing driver offence data \(2024\)](#)

NGĀ MEA I WHAKAAROTIA E TE KAUNIHERA **OPTIONS CONSIDERED BY THE COUNCILS**

The Wairarapa District Councils have considered the reasonably practical options for the future of the Wairarapa Local Alcohol Policy. The advantages and disadvantages of each option are outlined below. We are proposing to proceed with Option 1.

Option 1	
Councils adopt the proposed draft Wairarapa Local Alcohol Policy	
This is our preferred option	
Advantages	Disadvantages
<ul style="list-style-type: none"> • The policy has been developed based on latest available information, including alcohol-related harm and tourism benefits. • The policy supports an alcohol-related harm reduction approach but provides exemptions where appropriate to reduce impacts to existing businesses. • The policy takes into account feedback received through the early engagement period. • The flow and readability of the policy has been improved. • The policy will enable greater consistency across the Wairarapa region. 	<ul style="list-style-type: none"> • May be perceived as restrictive by some applicants/licensees due to additional criteria.

Our proposed Wairarapa Local Alcohol Policy can be found on each of the Wairarapa District Council websites.

- Masterton: mstn.govt.nz
- Carterton: cdc.govt.nz
- South Wairarapa: swdc.govt.nz

Option 2

Councils retain the current Wairarapa Local Alcohol Policy

Advantages	Disadvantages
<ul style="list-style-type: none"> • The current policy is familiar to the community, licensees and the District Licensing Committee. • The current policy offers some protective factors to children and young people. • May be preferred by some applicants/ licensees as there is less criteria. 	<ul style="list-style-type: none"> • Does not take advantage of opportunities to further reduce alcohol-related harm based on latest available information. • Does not respond to stakeholder feedback received through the early engagement period. • Does not take advantage of opportunities to clarify existing aspects of the policy that are unclear or applied inconsistently throughout Wairarapa. • Does not take advantage of the opportunity to improve the flow and readability of the policy.

Option 3

Councils revoke the Wairarapa Local Alcohol Policy

Local Alcohol Policies are not mandatory. However, they allow communities to have a say on the sale and supply of alcohol in their community. Without the policy, licensing decisions would be made based on the default criteria in the Sale and Supply of Alcohol Act 2012.

Advantages	Disadvantages
<ul style="list-style-type: none"> • Premises would have more flexibility in when and where they sell and supply alcohol. • Council resources would not be required to review the policy in future. 	<ul style="list-style-type: none"> • May lead to an increase in alcohol-related harm. • Would not offer protective factors for our communities at most risk of alcohol-related harm. • Views and preferences of the community would not be reflected in licensing decisions. • Does not align with feedback from key stakeholders, including those that Council is required to consult with under the Act. • Would be a significant shift from Council's current position.

HE AHA ATU NGĀ MEA I WHAKAAROHIA?

WHAT ELSE HAS BEEN CONSIDERED?

In developing the policy some alternative aspects were considered. These, and the reasons the Wairarapa District Councils are not proposing to progress these changes, are outlined below.

Option considered	Reasons changes are not proposed
<p>Limit the further issue of licences in parts of the Wairarapa region (e.g. introduce a cap on the number of off-licences)</p> <p>The policy does not include a cap on the number of licences that may be issued. Limiting the issue of licences can be used to control the supply of alcohol which was supported by some stakeholders.</p>	<ul style="list-style-type: none"> • Most new licences have been issued in Martinborough and Greytown, with small increases or declines in other areas. This does not align with the areas that have experienced alcohol-related harm. • The Councils recognised the contribution new premises make to our local economy and tourism offer. • It can be administratively difficult to create density limits that are effective and remain fit for purpose over time. • Our proposals that limit the issue of new off-licences near sensitive sites and prohibit special licences for events focused on children and young people offers protection for our vulnerable communities.
<p>Reduced trading hours for on-licence premises</p> <p>The current policy allows on-licence premises to sell alcohol from 8.00am to 1.00am. Some stakeholders support an earlier end time.</p>	<ul style="list-style-type: none"> • The Councils considered the current hours for on-licence premises to be reasonable. • A 1.00am end time is within the guidance of an effective local alcohol policy and only a small number of on-licence premises in Wairarapa open until 1.00am. • The policy is consistent with other policies throughout the country, all of which have an end time of 1.00am or later (3.00am maximum) for on-licences under certain circumstance. • On-licence premises may have additional conditions imposed such as one-way door restrictions from a specified time or specify the range of food, non-alcohol and low-alcohol drinks to be provided.

TE ĀHUA O TŌ TUKU KŌRERO

HOW YOU CAN HAVE YOUR SAY

We welcome your feedback on the proposed Wairarapa Local Alcohol Policy. Please note Masterton District Council is managing submissions on behalf of Carterton and South Wairarapa District Councils.



Complete our online submission form at: mstn.govt.nz, cdc.govt.nz, or swdc.govt.nz



Download a fillable pdf submission form from any of the above websites and email to: submissions@mstn.govt.nz



Pick up a submission form from one of our libraries or customer service centres or print out our printer-friendly form from the websites above. Post it to Masterton District Council, Freepost 112477, PO Box 444, Masterton 5840, or drop it off to one of our libraries or customer service centres.

Masterton District Council	161 Queen Street, Masterton
Carterton District Council	28 Holloway Street, Carterton
South Wairarapa District Council	19 Kitchener Street, Martinborough



Phone the Masterton team on 06 370 6300 between 9am and 4pm Monday to Friday (excluding public holidays) and tell us what you think.

Submissions close at 4.00pm on Sunday 20 October 2024

Hearing

A joint hearing with representatives of the Wairarapa District Councils will be held Wednesday 23 October 2024 to provide any person or organisation who makes a written submission the opportunity present their views.

Please indicate on your submission form that would you like to speak at the hearing and include an email address or phone number. We will contact you to arrange a time.

What happens next?

Councils must follow the process set out in the Sale and Supply of Alcohol Act 2012.

Following the consultation period, a hearing will be held on 23 October 2024. The elected representatives will then meet to consider feedback on 6 November 2024. Following the deliberations meetings, the Wairarapa District Councils will meet to finalise the policy in December 2024.

The policy is adopted 30 days after the finalised policy has been publicly notified. Subject to adoption, the policy will be brought into force in 2025.



Masterton District Council
mstn.govt.nz
06 370 6300
161 Queen Street, Masterton



Carterton District Council
cdc.govt.nz
06 379 4030
28 Holloway Street, Carterton



South Wairarapa District Council
swdc.govt.nz
06 306 9611
19 Kitchener Street, Martinborough

12 INFORMATION REPORTS FROM CHIEF EXECUTIVE AND STAFF

Nil

13 MAYORAL REPORTS

Nil

14 MEMBER REPORTS

Nil

15 APPOINTMENT REPORTS

Nil

16 PUBLIC EXCLUDED BUSINESS

RESOLUTION TO EXCLUDE THE PUBLIC

RECOMMENDATIONS

That the public be excluded from the following parts of the proceedings of this meeting.

The general subject matter of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48 of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48 for the passing of this resolution	Plain English reason for passing this resolution in relation to each matter
<p>16.1 - Public Excluded Minutes of the Council Meeting held on 30 October 2024</p>	<p>s7(2)(b)(ii) - the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information</p>	<p>s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7</p>	<p>To protect external consultants and contractors fee proposals.</p>
<p>16.2 - Lake Ferry Holiday Park Lease Structure</p>	<p>s7(2)(b)(ii) - the withholding of the information is necessary to protect information where the making available of the information would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information</p> <p>s7(2)(i) - the withholding of the information is necessary to enable Council to carry on, without prejudice or disadvantage, negotiations (including</p>	<p>s48(1)(a)(i) - the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 6 or section 7</p>	<p>To protect the commercial position of the current operator; and to enable SWDC to carry on negotiations without prejudice or disadvantage.</p>

	commercial and industrial negotiations)		

17 KARAKIA WHAKAMUTUNGA – CLOSING

Kua mutu ā mātou mahi
Mō tēnei wā
Manaakitia mai mā katoa
O mātou hoa
O mātou whānau
Aio ki te Aorangi

Our work is finished
For the moment
Blessing upon us all
Our friends
Our families
Peace to the Universe