

HE AROTAKENGA O TE KAUPAPA HERE
WAIPIRO Ā-ROHE O WAIRARAPA

WAIRARAPA LOCAL ALCOHOL POLICY REVIEW: STATEMENT OF PROPOSAL



**SOUTH WAIRARAPA
DISTRICT COUNCIL**
Kia Reretahi Tātau



Te Kaunihera-ā-Rohe o Taratahi
CARTERTON
DISTRICT COUNCIL

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.

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

Proposal 2: Reduced maximum trading hours of off-licence premises

Refer clause 4.7 of the draft Policy

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.

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.

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.

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).

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.

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

Description of Proposal

Reason for Proposal

Proposal 3: Special Licences for events *Refer clauses 7.2 to 7.4 of the draft Policy*

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.

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.

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.

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.

Proposal 4: Special licences for events focused on children and young people *Refer clause 7.5 of the draft Policy*

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.

The age limit aligns with the legal age to purchase alcohol which is 18 years.

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.

This proposal offers protective factors for children and young people from exposure to alcohol promotion. It also supports a consistent approach being taken throughout Wairarapa and aligns with Council run events for children and young people which are increasingly becoming alcohol free.

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

Description of Proposal

Reason for Proposal

Proposal 5: Special Licences for driving events

Refer clauses 7.6 and 7.7 of the draft Policy

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.

Driving events include demonstrations or events where cars drive in convoy together from location to location.

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.

This proposal supports a preventative approach to managing the potential risk of driving under the influence of alcohol.

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

- 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.

Disadvantages

- 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

- 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.

Disadvantages

- 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

- 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.

Disadvantages

- 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



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



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06 306 9611
19 Kitchener Street, Martinborough