

Strategic Planning & Policy Committee Public Agenda - 6 August 2024

Council Chambers
Waipā District Council
101 Bank Street
Te Awamutu



Chairperson
EM Stolwyk

Members

Her Worship the Mayor SC O'Regan, AW Brown, LE Brown, PTJ Coles, RDB Gordon, ML Gower, MG Montgomerie, DM Morgan, MJ Pettit, CS St Pierre, BS Thomas, B Harris - Te Kanohi

06 August 2024 09:00 AM

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APOLOGIES



DISCLOSURE OF MEMBERS' INTERESTS

Members are reminded to declare and stand aside from decision making when a conflict arises between their role as an elected member and any private or other external interest they may have.



LATE ITEMS

Items not on the agenda for the meeting require a resolution under section 46A of the Local Government Official Information and Meetings Act 1987 stating the reasons why the item was not on the agenda and why it cannot be dealt with at a subsequent meeting on the basis of a full agenda item. It is important to note that late items can only be dealt with when special circumstances exist and not as a means of avoiding or frustrating the requirements in the Act relating to notice, agendas, agenda format and content.



CONFIRMATION OF ORDER OF MEETING

Recommendation

That the order of the meeting be confirmed.



To: The Chairperson and Members of the Strategic Planning and Policy Committee

From: Governance

Subject: **CONFIRMATION OF MINUTES**

Meeting Date: 6 August 2024

1 EXECUTIVE SUMMARY – WHAKARĀPOPOTOTANGA MATUA

The local authority, its committees, subcommittees and any local and community boards must keep minutes of their proceedings. These minutes must be kept in hard or electronic copy, authorised by a Chairperson's manual or electronic signature once confirmed by resolution at a subsequent meeting. Once authorised the minutes are the prima facie evidence of the proceedings they relate to.

The only topic that may be discussed at a subsequent meeting, with respect to the minutes, is their correctness.

2 RECOMMENDATION – TŪTOHU Ā-KAIMAHI

That the open minutes of the Strategic Planning and Policy Committee meeting held on 20 and 21 May 2024, having been circulated, be taken as read and confirmed as a true and correct record of that meeting.

3 ATTACHMENT - ĀPITITANGA

Strategic Planning and Policy Committee Open Minutes – 20 and 21 May 2024 (pre-circulated)

COMMITTEE MINUTES



Committee: Strategic Planning and Policy Committee
Time: 9.00am
Date: Monday 20 May 2024 and Tuesday 21 May 2024
Venue: Council Chambers, Waipā District Council
101 Bank Street, Te Awamutu

PRESENT

Chairperson

EM Stolwyk

Members

Her Worship the Mayor SC O'Regan, AW Brown, LE Brown, PTJ Coles, RDB Gordon (joined the meeting at 11.10am), ML Gower, MG Montgomerie, DM Morgan, MJ Pettit, CS St Pierre, BS Thomas, B Harris- Te Kanohi

Opening Karakia – Committee Member Harris

Committee Members and staff stood for a minute's silence to acknowledge the passing of Alan Empson.

1 APOLOGIES

RESOLVED

2/24/31

That the apology for lateness from Councillor Gordon be received.

Councillor L Brown / Councillor Morgan

2 DISCLOSURE OF MEMBERS' INTERESTS

Mayor O'Regan – Sport Waikato.

Councillor L Brown – Te Awamutu and Kihikihi Community Board and Cambridge Community Board funding for ANZAC day and Armistice funding.

Councillor Coles - Cambridge Community Board and Cambridge Safer Community Charitable Trust.

COMMITTEE MINUTES



Councillor St Pierre -Taiea te Taiao and Waikato Screen.

Councillor St Pierre requested that it was noted that she is a member of the Pirongia Ward Committee. However, she abstained from the decision of the Pirongia Ward Committee to make a submission to the Enhanced Annual Plan

Councillor Thomas – requested that it was noted that he is a member of the Te Awamutu and Kihikihi Community Board and the Pirongia Ward Committee. However, he abstained from the decision of the Te Awamutu and Kihikihi Community Board and the Pirongia Ward Committee to make a submission to the Enhanced Annual Plan.

Councillor Montgomerie – requested that it was noted that he is a member of the Cambridge Community Board. However, he abstained from the decision of the Cambridge Community Board to make a submission to the Enhanced Annual Plan.

Chairperson Stolwyk read out the following statement from Councillor Gordon in his absence:

I have a conflict of interest with the submission of Grey Power Cambridge. As treasurer and a member of the governing committee, I was complicit in the decision and approval of the organisation's submission which reflects Grey Power Cambridge's advocacy manifesto produced in 2021.

The second is a matter of pre-determination on the issue of the Cambridge i-Site funding. I am on public record in the media as voting against the removal of funding of the i-Sites. I have also been vocal in community comment to encourage submissions on the matter.

3 LATE ITEMS

Nil

4 CONFIRMATION OF ORDER OF MEETING

RESOLVED

2/24/32

That the order of the meeting be confirmed.

Mayor O'Regan / Councillor St Pierre

COMMITTEE MINUTES



5 FEES AND CHARGES 2024/25 HEARINGS

The purpose of this report was to support the hearing of submissions on Waipā District Council's Draft Schedule of Fees and Charges 2024/25.

Chairperson Stolwyk granted the submitter 10 minutes speaking rights including questions from the Committee.

The following organisation spoke to their submission:

Alcohol Healthwatch - Andrew Galloway & Jennifer Lamm via Zoom

RESOLVED

2/24/33

That the Strategic Planning and Policy Committee

- a) *Receives the report of Melissa Russo, Manager Strategy titled 'Fees and Charges 2024/25 Hearings' (document number 11218659); and*
- b) *Hears the verbal submission of Alcohol Healthwatch (submission 556) on the Fees and Charges 2024/25 and supporting information.*

Councillor Pettit / Councillor Thomas

6 2024/25 ENHANCED ANNUAL PLAN HEARINGS

The purpose of this report was to support the hearing of submissions on Waipā District Council's 2024/25 Enhanced Annual Plan Consultation Document and supporting information.

Chairperson Stolwyk granted each submitter 10 minutes speaking rights including questions from the Committee.

The following organisations and individuals spoke to their submissions:

Sport Waikato – Matthew Cooper and Hadon Westbury

Cambridge Community Board – Chairperson Jo Davies Colley

Waikato and Hamilton Tourism – Nicola Greenwell and Steve Gow

Te Awamutu and Kihikihi Community Board – Chairperson Ange Holt

Pirongia Ward Committee – Ruth Webb (Via Zoom)

Hamilton Regional Airport – Mark Morgan

Destination Cambridge – Lucy Young and Ruth Crampton

Cambridge Town Hall Trust – Kirsty Johnson and Simon Brew

COMMITTEE MINUTES



[The meeting adjourned at 10.42am and reconvened at 11.10am]

[Councillor Gordon joined the meeting at 11.10am]

[Councillor Montgomerie rejoined the meeting at 11.17am]

Destination Te Awamutu – Shane Walsh

Te Awamutu Chamber of Commerce – Shane Walsh

Waikato Screen – Tracy Hampton (Via Zoom)

Creative Waikato – Dr Jeremy Mayall

Pirongia Heritage and Information Centre – Marilyn Yeates, Charlie Coles and Jenny Mortland

[Councillor Morgan left the meeting at 12.01pm and rejoined the meeting at 12.04pm]

Cambridge Safer Community Charitable Trust – Eileen Hawkins

Leamington Rugby Sports Club – Steve Kidd, Garry Thomas and Bruce Cahalane

Te Awamutu AFC Incorporated – Simon Brdanovic (via Zoom) and Sean Stringfellow in person

[The meeting was adjourned at 12.44pm and reconvened at 1.25pm]

Thriving Communities Collaboration – Harvey Brookes and Holly Snape

Askel Bech

Antanas Procuta

Phil MacKay

Taisha Music Enterprises – Taisha Tari

Peter Fulton

Sharon Stirling

Tayla McHardie

Tom Davies via Zoom

[The meeting adjourned at 2.52pm and reconvened at 3.20pm]

Kira Krieg

COMMITTEE MINUTES



Brian Winter – (Via Zoom)

James Parlane

Robert McQueen

Jennie Gainsford

RESOLVED

2/24/34

That the Strategic Planning and Policy Committee

- a) *Receives the report of Melissa Russo, Manager Strategy titled '2024/25 Enhanced Annual Plan hearings' (document number 11202233); and*
- b) *Hears the verbal submissions on the 2024/25 Enhanced Annual Plan Consultation Document and supporting information.*

Councillor St Pierre / Councillor Montgomerie

7 EXTENSION OF THE MEETING BEYOND 6 HOURS

This item was taken at 2.33pm after submitter Sharon Stirling and before submitter Tayla McHardie.

RESOLVED

2/24/35

That it is acknowledged that the hearings for the 2024/25 Enhanced Annual Plan will continue beyond 6 hours.

Mayor O'Regan / Councillor Gordon

8 ADJOURNMENT OF MEETING

RESOLVED

2/24/36

The Strategic Planning and Policy Committee adjourns until 9am on Tuesday 21st May 2024.

Committee Member Harris/ Councillor L Brown

Closing Karakia – Councillor Morgan

[The meeting was adjourned at 4.12pm]

COMMITTEE MINUTES



RECONVENED TUESDAY 21 MAY 2024 – 9.00AM

PRESENT

Chairperson

EM Stolwyk

Members

Her Worship the Mayor SC O'Regan (via Zoom), AW Brown, LE Brown, PTJ Coles, RDB Gordon (via Zoom), ML Gower, MG Montgomerie, DM Morgan, MJ Pettit, CS St Pierre, BS Thomas, B Harris- Te Kanohi

Opening Kakakia – Councillor Morgan

8 APOLOGIES

There were no apologies.

9 FEES AND CHARGES 2024/25 DELIBERATIONS AND ADOPTION

The purpose of this report was to enable deliberations and adopt the Draft Schedule of Fees and Charges 2024/25.

Manager Strategy, Melissa Russo provided an overview of the report, including staff commentary and recommendations on each Fees and Charges topic.

The Committee sought clarification regarding Titanium Park wastewater charges and agreed that an internal meeting would be arranged with affected parties, staff and elected members to discuss further. Manager Strategy, Melissa Russo clarified this matter would be covered during the Enhanced Annual Plan deliberations due to the wastewater charge being a targeted rate.

The Committee requested an update on LIM reports being automated with feedback to also go back to those submitters that had raised this matter in their submissions.

Ms Russo also advised the Committee that staff were looking at a wholesale review of fees and charges alongside the next Long Term Plan.

RESOLVED

2/24/37

That the Strategic Planning and Policy Committee

COMMITTEE MINUTES



- a) **RECEIVES** the report of Melissa Russo, Manager Strategy, titled 'Fees and Charges 2024/25 Deliberations and Adoption' (document number 11219439); and
- b) **CONSIDERS** verbal and written submissions received on the Draft Schedule of Fees and Charges 2024/25 (Appendix 1, document number 11224950); and
- c) **APPROVES** amendments to the Draft Schedule of Fees and Charges 2024/25 as included in the Schedule of Fees and Charges 2024/25 – post consultation draft (Appendix 2, document number 11112185) to incorporate changes as a result of submissions received and staff recommendations as detailed in this report; and
- d) **ADOPTS** the Schedule of Fees and Charges 2024/25 (Appendix 2, document number 11112185), to take effect from 1 July 2024; and
- e) **DELEGATES** to the Group Manager Strategy authority to make any final minor editorial amendments to the 'Schedule of Fees and Charges 2024/25' (Appendix 2, document number 11112185).

Councillor Pettit / Councillor St Pierre

10 2024/25 ENHANCED ANNUAL PLAN DELIBERATIONS

The purpose of this report was to enable deliberations on Waipā District Council's 2024/25 Enhanced Annual Plan.

Manager Strategy, Melissa Russo provided a high-level summary of submissions received on topic one of the Enhanced Annual Plan – Do we have the balance right?

The Committee acknowledged the number of submissions made on the cycleway projects and commented that the reason that a commitment was made to three larger projects was due to the significant funding support received by Central Government of \$12.7 million, with a further council contribution of \$5.3 million. This equated to a total \$18 million in assets for the community. It was noted that the cycleway projects had been made a priority due to the funding having to be spent by 30 June 2024. It was also noted that local contractors were used on the work required for the cycleway projects.

The Committee acknowledged that the 14.8 percent rate increase was a hard decision to make but wanted to reassure the community that staff had looked at all budgets, and that cost savings that could be made have been made.

Ms Russo provided a high-level summary of topic two of the Enhanced Annual Plan – Should we demolish the Cambridge Water Tower? Ms Russo advised the Committee

COMMITTEE MINUTES



that 62 percent of submitters wanted the water tower removed with 38 percent of submitters wanting the water tower restored.

After discussion the Committee agreed that Council should proceed with the Cambridge Water Tower option 1 which is removal, but to progress an application for a resource consent for demolition, while maintaining an open mind to alternatives, and with any further progression past obtaining resource consent to be subject to approval by the Committee, potentially through the 2025-34 Long Term Plan process.

[The meeting adjourned at 9.58am and reconvened at 10.15am]

Deputy Chief Executive and Group Manager Business Support, Ken Morris provided the Committee with a financial update.

Mr Morris clarified under the staff comments and recommendations with regards to i-Site funding, that if Council wished to fully restore funding for both i-Sites to the 2023/24 level, there would be an increase in rates of 0.32 percent. Mr Morris advised however, that both i-Sites were collectively seeking \$120,000 in funding and with this being a lesser amount to the full restoration of funds this would result in an increase in rates of 0.14 percent.

Mr Morris advised an overall increase in the forecast capital expenditure for the 2024/2025 year of \$5.5 million due to recent changes to projected capital expenditure, in particular in waters services for the 2024/2025 year.

Mr Morris also discussed debt capacity including debt headline considerations and updated the Committee that the debt to revenue headline metric for the 2024/25 Enhanced Annual Plan now provided \$14.9 million of buffer. Mr Morris clarified that on this basis there was effectively no capacity for additional capital expenditure nor capacity for a decline in revenue.

Mr Morris highlighted to the Committee the staff recommendation to increase the Cambridge Town Hall operational funding by \$103,000 and to re-introduce \$7,500 of funding to Cambridge Community Board for ANZAC day.

The Committee sought clarification on how staff would report back to them with forward projections for the debt to revenue headline metric. Mr Morris advised that a live spreadsheet had been developed to enable reporting back to Elected Members as required and that an update would be presented to the Audit and Risk Committee each quarter.

The Committee deliberated on the i-Sites funding matter and agreed to a one year grant of \$30,000 (excluding GST) to both Destination Cambridge and Destination Te

COMMITTEE MINUTES



Awamutu on the condition they maintained their current online presence with the funding for this already provided in the \$65,000 already included in the draft Enhanced Annual Plan for a tourism online presence.

[The meeting adjourned at 11.25am and reconvened at 12pm].

The Committee discussed the level of funding for the Cambridge Community Board, Te Awamutu and Kihikihi Community Board and Pirongia Ward Committee Discretionary grants. It was agreed to increase the Cambridge Community Board funding by \$7,500 (excluding GST) for ANZAC Day commemorations; additional funding of \$5,500 (excluding GST) was approved for the Te Awamutu and Kihikihi Community Board (recognising the continuing Council contribution of around \$2,000 per annum to provision of the sound system for the Te Awamutu Anzac service), and additional discretionary funding of \$3,000 (excluding GST) was approved for the Pirongia Ward Committee.

Ms Russo provided information regarding the Titanium Park wastewater rate and acknowledged this was a change to how the wastewater activity in that area had been funded. The affected property owners were advised of this change by letter which resulted in two submissions being received regarding the proposal. Manager Water Services, Martin Mould advised the Committee there had been no cost to Titanium Park for waste water since it was developed and there was now an opportunity to correct this with the Enhanced Annual Plan. The charge would be a district wide cost for charging industrial wastewater services. The Committee requested further communication be provided to affected businesses.

Amendments were made to recommendations e) through to f) to reflect the Enhanced Annual Plan Deliberations.

RESOLVED

2/24/38

That the Strategic Planning and Policy Committee:

- a) *Receives the report of Melissa Russo, Manager Strategy titled '2024/25 Enhanced Annual Plan deliberations' (ECM #11214512);*
- b) *Receives the written submissions for the draft 2024/25 Enhanced Annual Plan as outlined in Appendix 1 (ECM #11225244);*
- c) *Notes that verbal submissions on the draft 2024/25 Enhanced Annual Plan were heard by the Committee on 20 May 2024;*
- d) *Considers all verbal and written submissions on the draft 2024/25 Enhanced Annual Plan as referred to in recommendations b) and c) and summarised further in this report;*

COMMITTEE MINUTES



- e) *Approves the draft 2024/25 Enhanced Annual Plan subject to the following changes and considerations:*
- i. *Council proceeds with the Cambridge Water Tower option 1 – removal, so far as to progress an application for a resource consent for demolition, while maintaining an open mind to alternatives, and with any further progression past obtaining resource consent to be subject to approval by this Committee, potentially through the 2025-34 Long Term Plan process*
 - ii. *Additional funding requests are declined, except for:*
 - *additional Cambridge Community Board funding of \$7,500 (excluding GST) for ANZAC day commemorations;*
 - *additional Te Awamutu and Kihikihi Community Board funding of \$5,500 (excluding GST) for their discretionary funds;*
 - *additional Pirongia Ward Committee funding of \$3,000 (excluding GST) for their discretionary funds;*
 - *increased funding for the Cambridge Town Hall for total operating funding of \$502,999 (excluding GST);*
 - *a one year grant to Destination Cambridge and Destination Te Awamutu of \$30,000 (excluding GST) each on the condition they maintain their current online presence with the funding source for this already provided in the \$65,000 that was already included in the Draft Annual Plan for a tourism online presence;*
 - iii. *Notes the overall increase in the forecast capital expenditure for the 2024/2025 year has changed to \$5.5 million due to recent changes to projected capital expenditure, largely in waters services for the 2024/2025 year;*
 - iv. *No other significant changes are made to budgets;*
- f) *Delegates authority to Group Manager Business Support and Group Manager Strategy to make amendments to the draft 2024/2025 Enhanced Annual Plan to put into effect the amendments required under recommendation e) prior to presentation of the Enhanced Annual Plan to Council; and*
- g) *Recommends to Council that it adopts the draft 2024/25 Enhanced Annual Plan, as amended under recommendation e) and f).*

Councillor A Brown / Councillor Pettit

Closing Karakia - Councillor Morgan



There being no further business the meeting closed at 12.43pm

CONFIRMED AS A TRUE AND CORRECT RECORD

CHAIRPERSON:

.....

DATE:

.....



To: The Chairperson and Members of the Strategic Planning and Policy Committee

From: Governance

Subject: **CONFIRMATION OF MINUTES**

Meeting Date: 6 August 2024

1 EXECUTIVE SUMMARY – WHAKARĀPOPOTOTANGA MATUA

The local authority, its committees, subcommittees and any local and community boards must keep minutes of their proceedings. These minutes must be kept in hard or electronic copy, authorised by a Chairperson's manual or electronic signature once confirmed by resolution at a subsequent meeting. Once authorised the minutes are the prima facie evidence of the proceedings they relate to.

The only topic that may be discussed at a subsequent meeting, with respect to the minutes, is their correctness.

2 RECOMMENDATION – TŪTOHU Ā-KAIMAHI

That the open and public excluded minutes of the Strategic Planning and Policy Committee meeting held on 5 June 2024, having been circulated, be taken as read and confirmed as a true and correct record of that meeting.

3 ATTACHMENT - ĀPITITANGA

Strategic Planning and Policy Committee Open Minutes – 5 June 2024 (pre-circulated)
Strategic Planning and Policy Committee Public Excluded Minutes – 5 June 2024 (pre-circulated and circulated separately)

COMMITTEE MINUTES



Committee: Strategic Planning and Policy Committee
Time: 9.10am
Date: Wednesday 5 June 2024
Venue: Council Chambers, Waipā District Council
101 Bank Street, Te Awamutu

PRESENT

Chairperson

EM Stolwyk

Members

Her Worship the Mayor SC O'Regan, AW Brown, LE Brown, PTJ Coles, RDB Gordon, MG Montgomerie, DM Morgan, MJ Pettit, CS St Pierre, EM Stolwyk, BS Thomas

Opening Karakia – Councillor Morgan

1 APOLOGIES

RESOLVED

2/24/39

That the apology from Councillor Gower and Committee Member Harris be received.

Councillor L Brown / Councillor A Brown

2 DISCLOSURE OF MEMBERS' INTERESTS

Councillor Stolwyk and Councillor Montgomerie – Item 14 Adoption and Public Notification of Proposed Plan Change 14 Mangaone Precinct & C10 Industrial Growth Cell – Hautapu.

3 LATE ITEM

None.

4 CONFIRMATION OF ORDER OF MEETING

RESOLVED

COMMITTEE MINUTES



2/24/40

That the Strategic Planning and Policy Committee confirm the order of the meeting.

Councillor St Pierre / Councillor Gordon

5 CONFIRMATION OF MINUTES

RESOLVED

2/24/41

That the open minutes of the Strategic Planning and Policy Committee meeting held on 7 May 2024, having been circulated, be taken as read and confirmed as a true and correct record of that meeting.

Councillor Morgan / Councillor St Pierre

6 2025-35 LONG TERM PLAN – APPROVAL OF GROUPS ACTIVITIES STRUCTURE

The purpose of this report was to seek approval of the Groups of Activities structure for the 2025-34 Long Term Plan (LTP).

RESOLVED

2/24/42

- a) *Receives the report of Anthea Sayer, Senior Strategic Policy Advisor titled '2025-34 Long Term Plan - Approval of Groups of Activities structure', (document number 11231226); and*
- b) *Approves the 2025 - 34 Long Term Plan groups of activities structure, as follows:*

Group	Activities
Governance	Representation
	Communications and Engagement
	Strategy and Strategic Partnerships
Planning and Regulatory	Animal Control
	Building Compliance
	Development Engineering
	Environmental Health
	Resource Consents, Enforcement and LIMs
Community Services and Facilities	Parks and Reserves
	Libraries
	Property Services
	Heritage
	Swimming Pools

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Group	Activities
	Waste Management and Minimisation
	Emergency Management
Transportation	Transportation
Stormwater	Stormwater
Wastewater Treatment and Disposal	Wastewater Treatment and Disposal
Water Treatment and Supply	Water Treatment and Supply
Support Services	Information Services
	Customer Support

Councillor Gordon / Councillor Thomas

7 2025-34 LONG TERM PLAN- APPROVAL TO RETAIN THE CURRENT SIGNIFICANCE AND ENGAGEMENT POLICY

The purpose of this report was to seek approval to retain Waipā District Council's current Significance and Engagement Policy.

RESOLVED

2/24/43

- a) *Receives the report of Anthea Sayer, Senior Strategic Policy Advisor titled '2025-34 Long Term Plan – approval to retain the current Significance and Engagement Policy', (document number 11231228); and*
- b) *Retains the current Significance and Engagement Policy with a view to a comprehensive review as part of the 2027-37 Long Term Plan project, (document number 10535084).*

Councillor A Brown/ Councillor Coles

8 REVOCATION OF THE AGE FRIENDLY POLICY

The purpose of this report was to seek a decision from the Strategic Planning and Policy Committee to revoke the Age Friendly Policy and accompanying implementation plan.

Retired Councillor Hazel Barnes was invited to address the Committee. She spoke to meetings of older members of our community in the past and how things could be improved going forward.

COMMITTEE MINUTES



Concerns were raised regarding the revoking of the policy and implementation plan as the Committee viewed much of the content of the policy as beneficial and recognised the importance of highlighting the specific needs of older members of our community.

There was a discussion on work currently underway with older members in our community and the Committee directed staff to engage with the wider community before bringing this matter back to the Committee for consideration.

RESOLVED

2/24/44

That the Strategic Planning and Policy Committee

- a) *Receives the report of Daisy Wills, Strategic Policy Advisor, titled Revocation of the Age Friendly Policy (document number 11186405); and*
- b) *Directs staff to bring this matter back to the Committee for consideration once further engagement has been undertaken with our community*

Councillor L Brown/ Councillor Gordon

9 ALCOHOL CONTROL BYLAW DETERMINATION REPORT

[Meeting adjourned at 9.57am and reconvened at 10.15am]

The purpose of this report was to determine whether the Proposed Draft Waipā District Council Alcohol Control Bylaw (Proposed Draft Bylaw) meets the bylaw making requirements of Sections 147A and 155 of the Local Government Act 2002.

RESOLVED

2/24/45

That the Strategic Planning and Policy Committee

- a) **Receives** the report of Mieke Heyns - Strategic Policy Advisor titled Alcohol Control Bylaw Determination Report [ECM Number 11220348];
- b) **Notes** that staff have prepared the draft Alcohol Control Bylaw attached as Appendix 2 to this report ("Proposed Draft Bylaw"), intended to replace the current Public Places Alcohol Control Bylaw 2015 ("Expiring Bylaw");
- c) **Notes** that staff intend to seek the Committee's approval to consult on the Proposed Draft Bylaw in August 2024;
- d) **Determines**, pursuant to sections 155 and 147A of the Local Government Act 2002 that, subject to the outcome of consultation:
 - i) *The Proposed Draft Bylaw is the most appropriate form of bylaw;*

COMMITTEE MINUTES



- ii) *The Proposed Draft Bylaw gives rise to implications under the New Zealand Bill of Rights Act 1990 but is not inconsistent with that Act;*
- iii) *The Proposed Draft Bylaw has substantially the same effect as the Expiring Bylaw;*
- iv) *The Proposed Draft Bylaw can be justified as a reasonable limitation on people's rights and freedoms;*
- v) *a high level of crime or disorder caused or made worse by alcohol consumption is likely to arise in the area to which the Proposed Draft Bylaw is intended to apply if the Proposed Bylaw is not made; and*
- vi) *The Proposed Draft Bylaw is appropriate and proportionate in the light of that likely crime or disorder.*

Councillor St Pierre / Councillor Gordon

10 PROPOSED DRAFT ALCOHOL FEES BYLAW

The purpose of this report was to seek approval of the Proposed Draft Alcohol Fees Bylaw.

RESOLVED

2/24/46

That the Strategic Planning and Policy Committee

- a) **Receives** the report of Mieke Heyns - Strategic Policy Advisor titled Proposed Draft Alcohol Fees Bylaw – [ECM number 11186559]; and
- b) **Approves** the Proposed Draft Alcohol Fees Bylaw, subject to providing further explanation in the guidance note on clause 9 of the Bylaw

Councillor St Pierre / Councillor Pettit

11 LAKE NGĀ ROTO RECREATION RESERVE MANAGEMENT PLAN REVIEW

The purpose of this report was to:

- Outline the rationale for reviewing the Lake Ngā Roto Recreation Reserve Management Plan 2009 (RMP), the proposed approach to the review (including timeframes) and the proposed scope of the review;
- Seek endorsement of the proposed scope and approach;
- Appoint a Councillor representative to sit on the project focus group; and
- Seek approval to formally initiate the RMP review.

Orrin Kapua, a representative from Ngāti Apakura, spoke to the importance of the review for Ngāti Apakura. The Committee decided to appoint two members of the

COMMITTEE MINUTES



Strategic Planning and Policy Committee to the Focus Group, rather than one member.

RESOLVED

2/24/47

That the Strategic Planning and Policy Committee

- a) *Receives the report of Aidan Kirkby-McLeod, Senior Reserves Planner titled Lake Ngā Roto Recreation Reserve Management Plan Review (document number 11219507);*
- b) *Endorses the Lake Ngā Roto Recreation Reserve Management Plan 2009 review process and timeframes outlined in Appendix 1;*
- c) *Approves the formal notification of Council's intent to review the Lake Ngā Roto Recreation Reserve Management Plan 2009 in accordance with section 41 of the Reserves Act 1977;*
- d) *Approves extending the scope of the new reserve management plan to include Council's 114 Bank Road property (Lot 6 DP 526717), the paper roads surrounding the recreation reserve land adjoining Lake Ngā Roto and any future land acquired to improve the health of Lake Ngā Roto as outlined in Appendix 2;*
- e) *Approves working with mana whenua through the reserve management plan review to confirm their preferred name for Lake Ngā Roto and Lake Ngā Roto Recreation Reserve;*
- f) *Appoints Councillor Stolwyk and Councillor St Pierre as the Strategic Planning and Policy Committee representatives on the Lake Ngā Roto Recreation Reserve Management Plan Review Focus Group to contribute to the development of a new reserve management plan.*

Councillor Gordon / Councillor Thomas

12 WAIKATO BIODIVERSITY ACCORD

The purpose of this report was to seek approval for Waipā District Council (Council) to become a signatory to the Waikato Biodiversity Accord (Accord).

RESOLVED

2/24/48

That the Strategic Planning and Policy Committee

- a) *Receives the report of Bridget Elliott, Biodiversity Planner titled Waikato Biodiversity Accord [ECM 11227492];*
- b) *Approves Waipā District Council becoming a signatory to the Waikato Biodiversity Accord; and*

COMMITTEE MINUTES



- c) *Delegates to the Mayor in consultation with the Group Manager Customer and Community Services authority to finalise negotiations of the accord.*

Councillor St Pierre / Councillor L Brown

13 SEPARATE CROP PROTECTION STRUCTURES AND SHELTERBELT TOPICS FROM DRAFT PLAN CHANGE 30

The purpose of this report was to seek approval from the Strategic Planning and Policy (SP&P) Committee to redistribute Crop Protection Structures and Shelter Belts topics from draft Plan Change 30 - Minor Technical Amendments (PC30) into a separate standalone plan change to the Operative Waipā District Plan (PC25).

The Committee asked questions on Solar power and staff advised that further information will be provided on this matter to Committee members.

RESOLVED

2/24/49

That the Strategic Planning and Policy Committee

- a) **Receives** the report of Alice Morris, Policy Planner, District Plan Team titled *Separate Crop Protection Structures and Shelterbelt topics from Draft Plan Change 30 [ECM Number 11228412];*
- b) **Approves** the separation of Crop Protection Structures and Shelter Belts from the existing draft Plan Change 30 - Minor Technical Amendments (PC30) to the Operative Waipā District Plan; and
- c) **Approves** that Crop Protection Structures and Shelterbelts be contained within their own separate standalone plan change.

Councillor A Brown / Councillor Morgan

14 ADOPTION AND PUBLIC NOTIFICATION OF PROPOSED PLAN CHANGE 14 – MANGAONE PRECINCT & C10 INDUSTRIAL GROWTH CELL - HAUTAPU

As the Chair and Deputy Chair of the Committee both declared an interest in this item, a vote was taken to appoint a Chair for this item.

RESOLVED

2/24/50

That the Strategic Policy & Planning Committee elect Councillor Thomas to Chair this item.

Councillor L Brown / Councillor A Brown

COMMITTEE MINUTES



[Councillors Stolwyk and Montgomerie left the meeting]

The purpose of this report was to inform the Strategic Planning and Policy Committee of the Proposed Plan Change 14 – Mangaone Precinct & C10 Industrial Growth Cell – Hautapu, lodged by Fonterra Ltd, and to seek the Committee’s approval for the adoption and public notification of the proposed plan change in accordance with the First Schedule of the Resource Management Act 1991.

There was a discussion on why this was not a private plan change and/or the costs met by Fonterra Ltd.

RESOLVED

2/24/51

That the Strategic Policy & Planning Committee:

- a) **RECEIVES** the report of Hayley Thomas – Project Planner titled ‘Adoption and Public Notification of Proposed Plan Change 14 – Mangaone Precinct & C10 Industrial Growth Cell – Hautapu [ECM Number 11224381];
- b) Consider and **RESOLVE TO ADOPT** Proposed Plan Change 14 – Mangaone Precinct & C10 Industrial Growth Cell – Hautapu in accordance with Clause 25(2)(a) of the First Schedule of the Resource Management Act 1991; and
- c) Consider and **RESOLVE TO PUBLICLY NOTIFY** Proposed Plan Change 14 – Mangaone Precinct & C10 Industrial Growth Cell – Hautapu to the Waipā District Plan and the associated Section 32 Evaluation Report in accordance with Clause 5 of the First Schedule of the Resource Management Act 1991.

Councillor Pettit/ Councillor Thomas

Councillor St Pierre, Councillor L Brown and Councillor Gordon abstained.

15 RESOLUTION TO EXCLUDE THE PUBLIC

[Councillors Stolwyk and Montgomerie returned to the meeting]

RESOLVED

2/24/ 52

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

The general subject of the 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(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

COMMITTEE MINUTES



General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
16. Confirmation of Public Excluded Minutes – 7 May 2024	Good reason to withhold exists under section 7 Local Government Official Information and Meetings Act 1987	Section 48(1)(a)

This resolution is made in reliance on section 48(1)(a) of the Local Government Official Information and Meetings Act 1987 and the particular interest or interests protected by Section 6 or Section 7 of that Act, or Sections 6, 7 or 9 of the Official Information Act 1982, as the case may be, which would be prejudiced by the holding of the whole or relevant part of the proceedings of the meeting in public, are as follows:

Item No.	Section	Interest
16	7(2)(i)	To carry on, without prejudice or disadvantage, negotiations (including commercial and industrial negotiations).

Councillor L Brown/ Councillor A Brown

The meeting went into Public Excluded Session at 11.12am
There being no further business the meeting closed at 11.15am

CONFIRMED AS A TRUE AND CORRECT RECORD

CHAIRPERSON:

.....

DATE:

.....

COMMITTEE REPORT



To: The Chairperson and Members of the Strategic Planning and Policy Committee

From: Strategic Policy Advisor

Subject: **Approval of the Draft Local Alcohol Policy, Draft Alcohol Control Bylaw and Draft Alcohol Fees for Consultation**

Meeting Date: 6 August 2024

1 PURPOSE - TAKE

The purpose of this report is to seek approval to undertake public consultation, in accordance with the special consultative procedure, on the draft Local Alcohol Policy, draft Alcohol Control Bylaw, and draft Alcohol Fees Bylaw.

2 EXECUTIVE SUMMARY – WHAKARĀPOPOTOTANGA MATUA

The review of the Local Alcohol Policy and Alcohol Control Bylaw is required by legislation. The Alcohol Control Bylaw review has been brought forward to align it with the Local Alcohol Policy review, and the introduction of the Alcohol Fees Bylaw.

The drafts of the Local Alcohol Policy, Alcohol Control Bylaw, and Alcohol Fees Bylaw have been prepared incorporating feedback from early engagement with stakeholders, Local Alcohol Policy engagement submitters, and workshops with elected members.

Due to the legislative consultative requirements and potential controversial nature of the three documents, the matters in this report have a high level of significance.

It is proposed that consultation for all three documents is conducted simultaneously using the Special Consultative Procedure, as outlined in sections 83 and 86 of the Local Government Act 2002, from 12 August 2024 until 12 September 2024.

3 RECOMMENDATION – TŪTOHU Ā-KAIMAHI

That the Strategic Planning and Policy Committee

- a) **Receives** the report of Mieke Heyns – Strategic Policy Advisor titled *Approval of the Draft Local Alcohol Policy, Draft Alcohol Control Bylaw, and Draft Alcohol Fees for Consultation [ECM Number 11251306]*;

- b) **Approves** the draft Local Alcohol Policy (document number 11186353) for public consultation in accordance with the special consultative procedure, pursuant to sections 79 and 97 of the Sale and Supply of Alcohol Act 2012 and section 83 of the Local Government Act 2002;
- c) **Approves** the draft Alcohol Control Bylaw (document number 11154935) for public consultation in accordance with the Special Consultative Procedure, pursuant to sections 83, 86 and 156 of the Local Government Act 2002;
- d) **Approves** the draft Alcohol Fees Bylaw (document number 11154945) for public consultation in accordance with the Special Consultative Procedure, pursuant to section 86 of the Local Government Act 2002 and section 405 of the Sale and Supply of Alcohol Act 2012;
- e) **Adopts** the Statement of Proposal (document number 11234204) for public consultation between 12 August 2024 – 12 September 2024; and
- f) **Delegates** to the Group Manager – District Growth & Regulatory Services authority to make any final editorial amendments to the Statement of Proposal, draft Local Alcohol Policy, draft Alcohol Fees Bylaw and draft Alcohol Control Bylaw before consultation commences.

4 BACKGROUND – KŌRERO WHAIMĀRAMA

Local Alcohol Policy

Under the Sale and Supply of Alcohol Act 2012 (Alcohol Act), territorial authorities may have a local alcohol policy relating to the sale, supply or consumption of alcohol within its district. Waipā District Council's first Local Alcohol Policy (LAP) was adopted in 2016.

Under the Alcohol Act, LAPs must be reviewed every six years. The LAP does not lapse if this review is not completed.

As part of this review, Council staff have developed a draft LAP. When producing a draft LAP, the territorial authority must have regard to:

- (a) the objectives and policies of its district plan; and
- (b) the number of licences of each kind held for premises in its district, and the location and opening hours of each of the premises; and
- (c) any areas in which bylaws prohibiting alcohol in public places are in force; and
- (d) the demography of the district's residents; and
- (e) the demography of people who visit the district as tourists or holidaymakers; and
- (f) the overall health indicators of the district's residents; and
- (g) the nature and severity of the alcohol-related problems arising in the district.

These matters were explored in detail in the Background Report attached as Appendix 6 [ECM Number 11185164].

The draft LAP was created through:

- Engagement with Police, Alcohol Licensing Inspectors, and the Medical Officer of Health (as required by section 78(4) of the Alcohol Act.
- Workshops with Elected Members.
- Targeted engagement with Ngā Iwi Tōpu o Waipā around inclusion of marae as Sensitive Facilities.
- Engagement with the community on three questions related to off-licences.
- Engagement through a webinar with alcohol licence holders.

Elected Members workshopped the proposed draft LAP on 7 May 2024. Changes made to the draft LAP since the workshop are:

- Minor formatting changes.
- Clarification on timeline of adoption and when LAP comes into force and how this affects applications.
- Clarification of wording e.g. around Sensitive Facilities to only capture the “relevant” Sensitive Facilities and risk rating determinations.
- Addition of a statement that on-licences have six months to comply with any discretionary condition around the installation and setup of CCTV from date of new licence being granted or renewed.
- Addition of District Licensing Committee discretion for off-licences premises that are greater than 40 metres and less than 100 metres from a Sensitive Facility (clause 3.3.3.(c).
- Clarification that remote sellers are not captured by the town centre caps.
- Removal of discretionary condition relating to trading hours near schools and early childcare facilities.
- Discretionary condition added for off-licences as follows, “Remote sale of alcohol - Alcohol sales are limited to only those manufactured by the licensee”.

Section 79 of the Sale and Supply of Alcohol Act requires Council to consult on the draft LAP using the Special Consultative Procedure as outlined in section 83 of the Local Government Act 2002 (LGA). The purpose of this report is to seek approval to undertake such consultation.

Local Alcohol Policy 2016 and 2024 Comparison

If adopted the current draft LAP would implement the following changes to the existing LAP:

- Extended and clarified discretionary conditions.

- A cap on the number of off-licences in the designated central business areas.
- A slight reduction in trading hours for some premises.
- Implementation of a one-way door policy for some premises
- Changing the definitions of sensitive facilities to include other community facilities.
- Inclusion of more premises under certain trading hours to better align with the Sale and Supply of Alcohol Act 2012.
- Additional conditions added to the distance between sensitive facilities and community facilities for off-licences.
- Formatting changes.
- Addition of information and definitions to aid interpretation.

Alcohol Control Bylaw

The Alcohol Control Bylaw was adopted in 2008. The LGA requires bylaws to be reviewed five years after being made, and at least every 10 years thereafter. The Bylaw was first reviewed in 2015 and is now being reviewed again to comply with these requirements.

When the Council is reviewing a current alcohol-control bylaw, it must complete an analysis under sections 147A and 155 of the LGA. There are four steps in this process:

- Step 1 - determine what problems exist and whether or not a bylaw is the most appropriate way of addressing that problem under section 155(1) of the LGA.
- Step 2 - determine whether the proposed bylaw is the most appropriate form of bylaw under section 155(2)(a) of the LGA.
- Step 3 - determine whether the proposed bylaw gives rise to any implications under and is not inconsistent with the New Zealand Bill of Rights Act 1990 (NZBORA) under section 155(2)(b) of the LGA.
- Step 4 – where a proposed alcohol-control bylaw is intended to replace an existing alcohol-control bylaw, determine that the proposed bylaw meets the criteria of section 147A(3), which is that the proposed bylaw is to the same effect (or to substantially the same effect) as the expiring bylaw and:
 - (a) Can be justified as a reasonable limitation on people's rights and freedoms; and
 - (b) A high level of crime or disorder (being crime or disorder caused or made worse by alcohol consumption in the area concerned) is likely to arise in the area to which the bylaw is intended to apply if the bylaw is not made; and
 - (c) The bylaw is appropriate and proportionate in the light of that likely crime or disorder.

On 29 November 2023, the Strategic Planning and Policy Committee completed Step 1. On 5 June 2024, it completed steps 2-4.

Sections 83, 86 and 156 of the LGA requires that the special consultative procedure must be used when a local authority proposes making, amending or revoking a bylaw. The purpose of this report is to seek approval to commence this process.

Alcohol Control Bylaw 2015 and 2024 Comparison

If adopted the current draft bylaw would implement the following changes to the existing bylaw:

- Including skate parks as permanent alcohol ban areas.
- Expand the Cambridge alcohol ban area to include Carter's Flat
- Expand the Kihikihi alcohol ban area to include an area at the north end of Lyon Street.
- Include Bulmers Landing and Arapuni Landing as permanent alcohol ban areas between the nighttime hours of 8:00pm until 8:00am.
- Include playgrounds as permanent alcohol ban areas between the nighttime hours of 8:00pm until 8:00am.
- Include cemeteries as permanent alcohol ban areas between the nighttime hours of 8:00pm until 8:00am.

Alcohol Fees Bylaw

The fees for alcohol licences are currently set by the Sale and Supply of Alcohol (Fees) Regulations 2013. These fees currently do not cover the cost of the processes associated with alcohol licences. It is proposed to increase the fees and charges prescribed for alcohol licensing matters by making an Alcohol Fees Bylaw. Making a bylaw of this nature is permitted under section 405 of the Sale and Supply of Alcohol

Act 2012 and the Sale and Supply of Alcohol (Fee-setting Bylaws) Order 2013. The draft Alcohol Fees Bylaw was approved by the Strategic Planning and Policy Committee on 5 June 2024.

Section 405(4) of the Sale and Supply of Alcohol Act 2012 sets out the consultation requirements for making a fee setting bylaw, which requires Council to consult with persons who are representative of interests substantially affected by the bylaw. It is proposed that this obligation is met by using the special consultative procedure under the LGA, as part of the wider proposed consultation in August and September as detailed in this report.

Next Steps

The Special Consultative Procedure will be used to consult on the drafts of the Local Alcohol Policy, Alcohol Control Bylaw and Alcohol Fees Bylaw simultaneously, as provided for in section 83A of the LGA. A minimum one-month consultation period is

required for this in accordance with section 83 of the LGA. It is proposed that consultation will run from 12 August 2024 – 12 September 2024.

5 SIGNIFICANCE & ENGAGEMENT – KAUPAPA WHAI MANA ME NGĀ MATAPAKINGA

Staff have considered the key considerations under the Significance and Engagement Policy, in particular sections 7 and 8 and have assessed that the matters in this report have a high level of significance.

The review of any council bylaw is a statutory process, required within 10 years of any previous review, and must utilise the special consultative procedure (sections 83 and 86 of the LGA 2002). The Local Alcohol Policy also requires a Special Consultative Procedure. All three documents being consulted on have potential to be controversial due to the regulatory nature of the processes and the impacts that have on individuals and license holders.

6 OPTIONS – NGĀ KŌWHIRINGA

Option	Advantages	Disadvantages
<u>Option 1:</u> Do nothing	No staff or other Council resources required.	- Legislative requirements not met - Community and stakeholder submissions not considered.
<u>Option 2:</u> Approve for consultation: - draft Local Alcohol Policy - draft Alcohol Control Bylaw - draft Alcohol Fees Bylaw - Statement of proposal	- Meets legislative consultation requirements - Maximises consultation effort with combining all three alcohol related topics - The review process continues.	Staff or other Council resources required.
<u>Option 3:</u> Amend and approve at subsequent meeting for consultation: - draft Local Alcohol Policy - draft Alcohol Control Bylaw - draft Alcohol Fees Bylaw	- Further opportunity for Elected Member feedback to be incorporated - Meets legislative consultation requirements	- Staff or other Council resources required - Review substantially delayed due to clashes with Ahu Ake consultation.

Option	Advantages	Disadvantages
Statement of proposal	- Maximises consultation effort with combining all three alcohol related topics - The review process continues.	

The recommended option is Option 2. The reason for this is that the review continues and meets timing and legislative requirements.

7 OTHER CONSIDERATIONS – HEI WHAIWHAKAARO

Community Outcomes and Strategic Priorities



The Draft Local Alcohol Policy, Alcohol Control Bylaw and Alcohol Fees Bylaw are consistent with Council's Strategic Priority of creating vibrant communities by helping to create safer, more inviting and attractive public spaces, working towards community welfare, and better facilitating quality services.



The Draft Local Alcohol Policy, Alcohol Control Bylaw and Alcohol Fees Bylaw are consistent with Council's Strategic Priority of effectively planning and providing for the future needs of growing communities and ensuring the ability to provide the services required.

Legal and Policy Considerations – Whaiwhakaaro ā-Ture

Staff confirm that *Option 2 - Approve draft Local Alcohol Policy, draft Alcohol Control Bylaw, draft Alcohol Fees Bylaw, and Statement of proposal for consultation* complies with Council's legal and policy requirements.

Financial Considerations – Whaiwhakaaro ā-Pūtea

The total costs to complete this consultation is approximately \$2080.00. This is budgeted for in the 2024/2025 Annual Plan, when the costs will be incurred, as part of the Strategy operating budget.

Risks - Tūraru

The following significant risks have been identified and will be treated as set out below:

Risk Description	Current Residual Risk Rating	Current Treatments	Target Residual Risk Rating – if different from current rating	Planned Additional Treatments
Extended timeframes	High Risk	- Follow existing process - Clear communication with community, stakeholders and elected members	Medium	Legislatively there is room for extended timeframes, however, being clear with the community and stakeholders as to why there are delays is important.

Iwi and Mana Whenua Considerations - Whaiwhakaaro ki ngā Iwi me ngā Mana Whenua

There are no known considerations specific to Iwi and Mana Whenua. However, as part of the review, any engagement with Iwi and Mana Whenua will be an opportunity to ensure any Policy and Bylaw concerns can be raised and addressed.

8 NEXT ACTIONS

Action	By When
Formal consultation	12 August 2024 – 12 September 2024
Hearings	14 and 16 October 2024
Deliberations	22 October 2024
Adoption	26 November 2024

9 APPENDICES - ĀPITITANGA

No:	Appendix Title
1	Combined Statement of Proposal [ECM Number 11234204]
2	Draft Local Alcohol Policy [ECM Number 11186353]
3	Draft Alcohol Control Bylaw [ECM Number 11154935]
4	Draft Alcohol Fees Bylaw [ECM Number 11154945]
5	Alcohol Control Bylaw s155 Determination Report - 5 June 2024 [ECM Number 11220348]
6	Local Alcohol Policy Background Report for Waipa District [ECM Number 11185164]



Prepared by Mieke Heyns
STRATEGIC POLICY ADVISOR



Reviewed by Diana Aquilina
LEGAL COUNSEL



Reviewed by Melissa Russo
MANAGER STRATEGY



Reviewed by Karl Tutty
MANAGER COMPLIANCE



Approved by Wayne Allan
GROUP MANAGER DISTRICT GROWTH AND REGULATORY SERVICES

APPENDIX 1

Combined Statement of Proposal *[ECM Number 11234204]*

Waipā District Council's **Alcohol policy and bylaws review**

We're proposing some changes to how we manage alcohol in Waipā and we want to know what you think.

**Feedback is open until
5pm, Thursday September 12, 2024**



Have
your
say

0800 WAIPADC (924 723)
waipadc.govt.nz



This document summarises the key changes we're proposing to make to our Local Alcohol Policy and Alcohol Control Bylaw and proposes the introduction of an Alcohol Fees Bylaw.

Visit our website to see the full policy, bylaws, and information report.

You can view these and have your say:

Online at waipadc.govt.nz/alcoholreview

Or pick up a hard copy from council offices or libraries

This Statement of Proposal has been prepared in accordance with Sections 83, 86, and 156 of the Local Government Act 2002.

We've undertaken a review of our current alcohol-related controls and we think a few changes could be made.

We want to know what you think

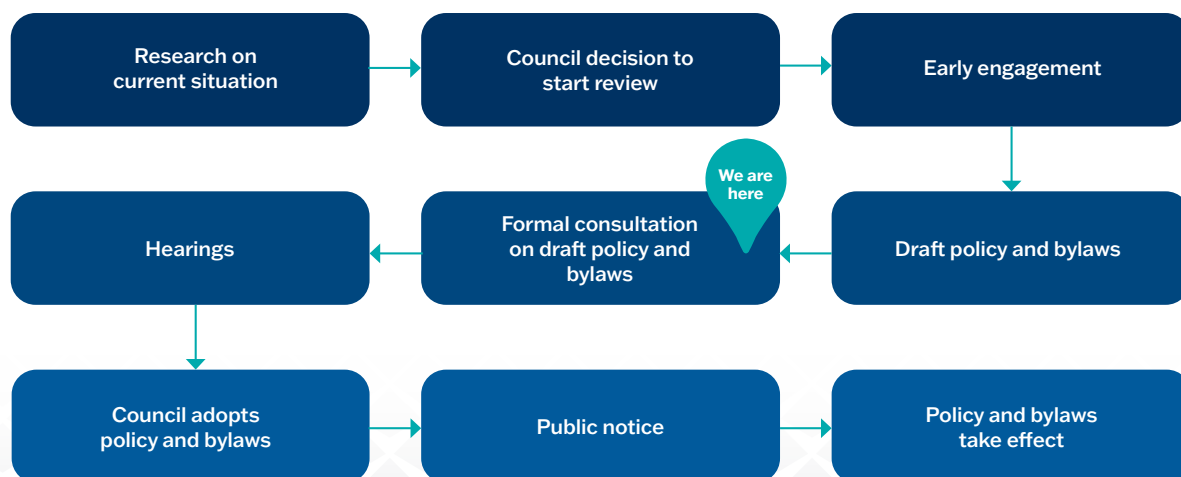
Alcohol is often consumed in Aotearoa New Zealand to celebrate and enjoy at sports games, family events, while having a quiet night at home, or a night out with friends. While most people enjoy their drinks responsibly, there are times when this is not the case, which can result in alcohol-related harm.

Council has the responsibility to assist in minimising the harm caused by excessive or inappropriate alcohol consumption, as well as process applications and monitor alcohol licences. In addition to the Sale and Supply of Alcohol Act 2012 and its regulations, there are three main tools council has to support this aim.

- 1 The Local Alcohol Policy** – Sets out where, when, and how alcohol can be sold, supplied, or consumed with regards to licenced premises.
- 2 The Alcohol Control Bylaw** – Sets out where and when alcohol is not permitted to be consumed in public places by defining the alcohol ban areas.
- 3 The Alcohol Fees Bylaw** – Sets the fees for processing and monitoring alcohol licences.

After initial feedback from the community, and a review of our current Local Alcohol Policy, we are proposing some changes. We're also proposing changes to our Alcohol Control Bylaw and introducing an Alcohol Fees Bylaw.

We want these rules to work for everyone in the community. It can be a difficult balance to strike, so make sure you get involved and have your say!



Local Alcohol Policy

Where, when, and how alcohol can be sold, supplied, and consumed.

What is a Local Alcohol Policy?

The **Local Alcohol Policy** is made under the Sale and Supply of Alcohol Act 2012 and must be reviewed every six years. All councils can choose if they want to have a Local Alcohol Policy or not.

The purpose of a Local Alcohol Policy is to have local rules that apply to any alcohol licences issued for the sale and supply of alcohol in that community. The rules help achieve the objectives of the Act to ensure the sale, supply, and consumption of alcohol, is done safely and responsibly, and that alcohol-related harm is minimised.

Local Alcohol Policies set rules around where places that sell alcohol can be located, when they can open, and how they can operate.

How does a Local Alcohol Policy work?

The Local Alcohol Policy tells the District Licensing Committee and the Alcohol Regulatory and Licensing Authority what Council wants the sale and supply of alcohol to look like in the Waipā community.

The District Licensing Committee is the independent body which decides on applications for on-licences, off-licences, club, special licences and temporary authorities within their local area. The Alcohol Regulatory and Licensing Authority (ARLA) is the next step up. They are the tribunal which determines any appeals of District Licensing Committee decisions and deal with enforcement applications.

There are four different kinds of alcohol licences:

- 1 **On-licences** - Alcohol is allowed to be sold and supplied for consumption on the premises, such as a bar or restaurant.
- 2 **Off-licences** - Alcohol is allowed to be sold for consumption somewhere else, such as a supermarket or bottle store.
- 3 **Club licences** - Alcohol is allowed to be sold and supplied for consumption on the premises to a member of the club, a member's guest, or an authorised visitor. This is the kind of licence held by sports clubs or an RSA for example.
- 4 **Special licences** - Special licences are held for specific events described in the licence. There are two kinds of special licences: on-site special licences and off-site special licences. Special licences are used for things such as festivals, concerts, or weddings.

In relation to alcohol licences, a "premises" means the physical place for which the licence was issued. A premises can have more than one kind of licence. For example, a tavern can have both an on-licence so you can drink there and an off-licence to buy alcohol to take away.

What is changing?

Waipā District Council's Local Alcohol Policy was first introduced in 2016. Overall, it has worked well. However, council has identified some changes that would improve the policy.

Most of the changes to the Local Alcohol Policy have been to make the document more user-friendly. We have done this by adding definitions, simplifying and clarifying wording, and removing clauses that are already covered by the Sale and Supply of Alcohol Act 2012.

Council is also proposing the following more substantial changes:

On-licences

“Higher risk” on-licence trading hours

Licence applications get assigned a risk rating based on the type of activities that happen there. These ratings are set out in the Sale and Supply of Alcohol (Fees) Regulations 2013.

- We have proposed reducing the trading hours of “higher risk” new or renewed on-licence premises, from 9am till 2am the following day to 9am till 1am the following day. The reduction in hours acknowledges the evidence that alcohol sold later in the day is more likely to lead to alcohol-related harm. There are very few premises that currently operate at these hours regularly.
- We have expanded the list of “higher risk” on-licence premises to include Class 1 restaurants, and other on-licence premises listed in section 5 (3) of the Sale and Supply of Alcohol (Fees) Regulations 2013, with a weighting of 15. This brings the policy more in line with the Sale and Supply of Alcohol Act. This can impact these premises if they are located within 100 metres of the Residential Zone.

We want to know what you think about the “higher risk” changes

One-way door policy

The one-way door restrictions for on-licenses are still at the District Licensing Committee's discretion, but the recommendation has been expanded to include the whole week and higher risk premises.

Off-licences

Off-licences cap

We're proposing to introduce a cap on the total number of off-licences in the main shopping centres of Te Awamutu, Kihikihi, Leamington, and Cambridge (shown in the maps below) as follows:

- | | |
|-------------------------|-------------------------|
| • Kihikihi 2* | • Cambridge Central 8* |
| • Te Awamutu East 2* | • Leamington North 2* |
| • Te Awamutu Central 7* | • Leamington Central 4* |

Do you agree with capping off-licences in the main shopping centres?

*the numbers will be updated to reflect the number of off-licences in force when the Policy is adopted.

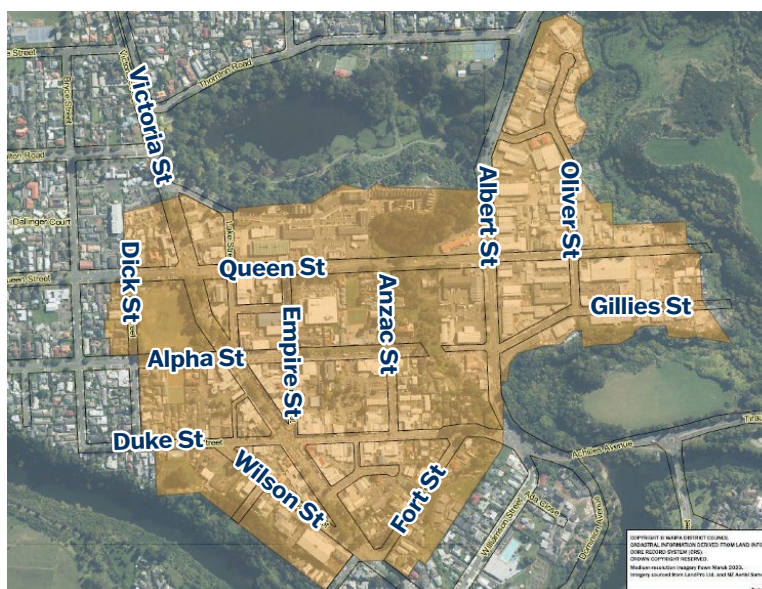
Proposed off-licence cap areas



Leamington Central 4*



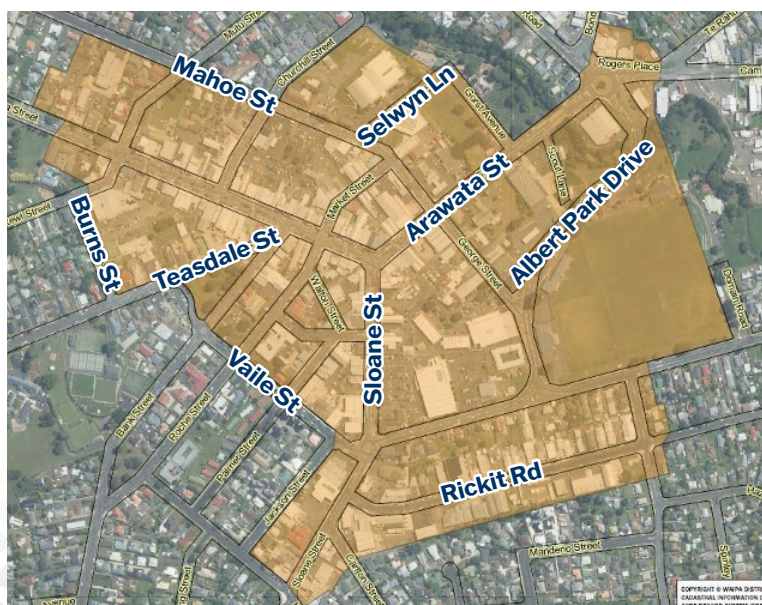
Leamington North 2*



Cambridge Central 8*



Kihikihi 2*



Te Awamutu Central 7*



Te Awamutu East 2*

Club licences

One-way door policy

One-way door restrictions can now only be applied to Class 1 clubs with a closing time later than midnight. A Class 1 club is a club that has at least 1000 members over 18 years, and operates like a tavern at least one night a week.

Other proposed changes

Sensitive facilities

We are proposing changes to how the District Licensing Committee or Alcohol Regulatory and Licensing Authority may consider issuing licences that are located near “Sensitive Facilities”. These include:

- Adding community facilities (for off-licences only), rehabilitation treatment centres and marae to the list of “Sensitive Facilities”. It currently includes schools, early childcare centres, and places of worship.
- Amending how the impact on users of Sensitive Facilities are considered. Adding that the site proximity restrictions to Sensitive Facilities do not apply only if the District Licensing Committee (or ARLA) considers that the impact on users of such facilities will be “no more than to a minor extent”.

For off-licences only:

- Amending how the distance is measured between off-licence premises and a Sensitive Facility or Community Facility. So that the distance is measured from the entire premises instead of from the front of a premises.
- We have clarified that the location of Sensitive Facilities do not affect a licence renewal if such facilities were established after the original licence was issued. However, the District Licensing Committee and Alcohol Regulatory and Licensing Authority (the decision makers) must consider the impacts of any substantial change in the operation of that off-licence on such facilities.

We want to know if you agree on the distance an off-licence can be to a sensitive or community facility

Conditions

We are proposing to add to and clarify the list of discretionary licence conditions that the District Licensing Committee and Alcohol Regulatory and Licensing Authority can consider for on, off, club, and special licences.

Alcohol Control Bylaw

Where alcohol can be taken into and consumed in public places - the alcohol ban areas.

What is an Alcohol Control Bylaw?

An **Alcohol Control Bylaw** creates permanent and temporary alcohol ban areas. Alcohol ban areas outline where it is prohibited to consume, bring into, or possess alcohol in public places or vehicles in those public places.

Public places are any area that is open to or being used by the public. It includes roads, footpaths, pedestrian malls, parks and reserves. It may even include other spaces used by the public, including car parks, school grounds, and other privately owned spaces that are open to the public.

There are certain practical exceptions to this ban, like carrying home alcohol in unopened containers just bought from a shop. It is also possible to make an application for a dispensation so that people may have controlled events, like weddings in alcohol ban areas.

How does an Alcohol Control Bylaw work?

The aim of creating alcohol ban areas is to reduce or prevent alcohol-related crime or disorder in areas where this is likely to occur. The Alcohol Control Bylaw does this by showing where alcohol ban areas are and at what times they apply.

Council may create permanent alcohol ban areas which apply for the life of the bylaw, or temporary alcohol ban areas that only apply for certain times and events.

Council does not enforce the alcohol ban areas, the Police do. The Alcohol Control Bylaw gives the Police the power to enforce the alcohol ban areas including to search people.

What's changing?

24-hour alcohol ban areas:

- It is proposed to make **all skateparks** in the district 24-hour alcohol ban areas.
- The current alcohol ban area for **Cambridge** is proposed to expand to include Carter's Flat.
- In **Kihikihi**, we are proposing to expand the alcohol ban area to include the end of Havelock Street, and the area near the northern end of the block between Lyon Street and Leslie Street (where the cicada statue is).
- The other current permanent alcohol ban areas are proposed to stay the same. The maps below show the current and proposed 24-hour permanent alcohol ban areas, these do not show skateparks.

We want to know what you think about the proposed new 24-hour alcohol ban areas

Alcohol Ban Areas

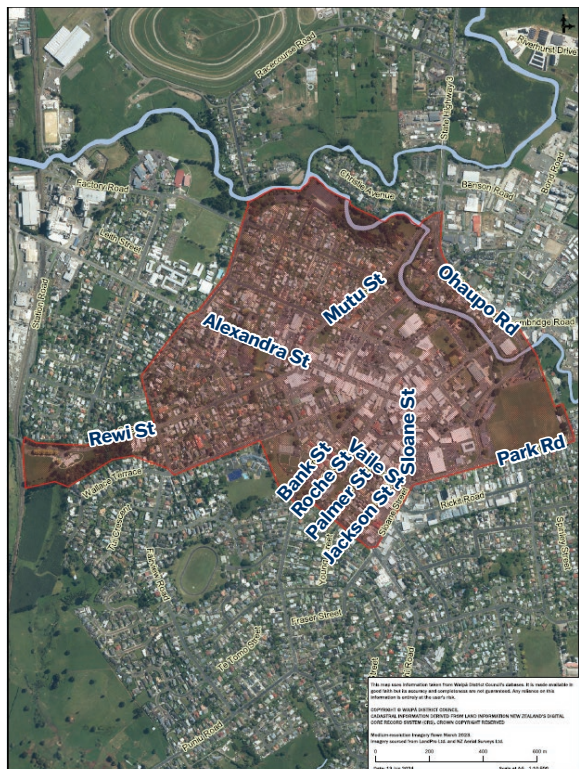
Current Areas Proposed Areas



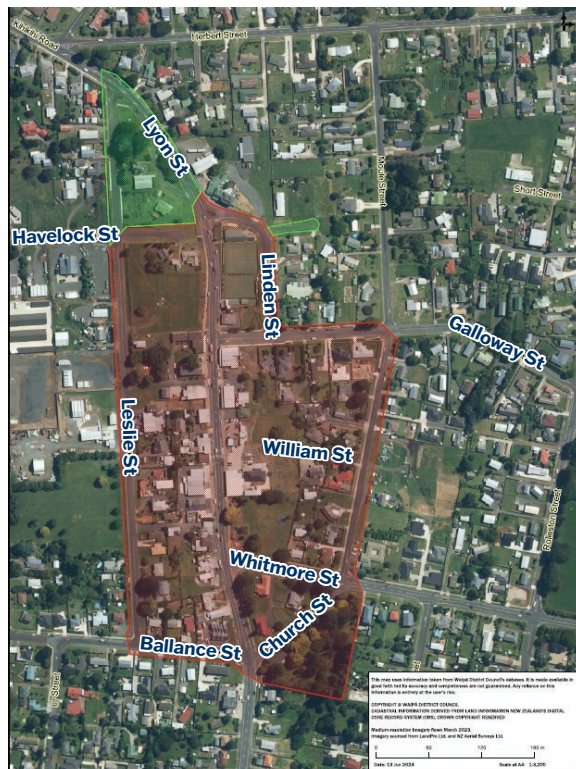
Cambridge



Leamington (no proposed changes)



Te Awamutu (no proposed changes)



Kihikihi



Legislative requirements

The **Alcohol Control Bylaw** was first made in 2008 and was reviewed and amended in 2015.

Under the Local Government Act 2002 (LGA), a bylaw must be reviewed within its first five years, and then again at least every 10 years. This review has been brought forward so that all the alcohol related controls can be consulted on together, which will mean that council will meet this requirement.

The bylaw is made under the LGA. Section 155 of the LGA requires that before commencing the process of making (or reviewing) a bylaw, we must determine whether a bylaw is the most appropriate way of addressing the perceived problem.

The Strategic Planning and Policy Committee determined this was the case for the Public Places Bylaw at its meeting on November 29, 2023.

Section 155 of the LGA also requires that if a bylaw is the most appropriate way of addressing a problem, we must then decide whether the bylaw is the most appropriate form of bylaw, and whether or not the bylaw gives rise to any implications under and is not inconsistent with the New Zealand Bill of Rights Act 1990 (NZBORA).

We have reviewed the draft bylaw and have determined that it is the most appropriate form of bylaw, subject to the outcome of the consultation process, and while it does give rise to implications under the NZBORA, it is not inconsistent with that Act. Further details about this determination can be found at the Strategic Planning and Policy Committee meeting on June 5, 2024.

Alcohol Fees Bylaw

The fees paid when applying for an alcohol licence.

What is an Alcohol Fees Bylaw?

The current fees someone pays when they apply for a licence to sell alcohol were set in 2013 by the Sale and Supply of Alcohol (Fees) Regulations. The only way council can change those fees, is to make an Alcohol Fees Bylaw under the Sale and Supply of Alcohol Act 2012 and the Sale and Supply of Alcohol (Fee-setting Bylaws) Order 2013.

Creating an **Alcohol Fees Bylaw**, means council can bring licencing fees in line with the increases in costs since 2013, to processing and monitoring alcohol licences. This is becoming a tool more commonly used by councils around the country.

It is proposed to increase alcohol licensing fees by 35 per cent from July 1, 2025 and another 35 per cent from July 1, 2026 to recoup some of the loss of processing and monitoring alcohol licences. These increases will still not recoup 100 per cent of the costs as there is an element of public good to council processing, monitoring and hosting hearings for alcohol licences.

How does an Alcohol Fees Bylaw work?

An Alcohol Fees Bylaw sets the:

- Annual fees and application fees for licensed premises
- Fees for a special licences
- Fees for a temporary authority
- Fees for a temporary licence
- Fees for a permanent club charter
- Fees for an extract from register.

After the two initial increases, council intends to review the Alcohol Fees Bylaw alongside the annual review of its Fees and Charges Schedule.

What's changing?

*All prices are excluding GST

Do we have the proposed increases right?

Type	Description	Current	Proposed fee from July 1, 2025. Increase of 35 per cent	Proposed fee from July 1, 2026. Increase of 70 per cent
Special licence fees				
Class 1	One large event: more than three medium events: more than 12 small events	\$500.00	\$675.00	\$850.00
Class 2	Three to 12 small events: One to three medium events	\$180.00	\$243.00	\$306.00
Class 3	One or two small events	\$55.00	\$74.25	\$93.50
Application fee for on, off, and club licences (including renewals)				
Very low	Council assign a fees category to any premises for which an on-licence, off-licence, or club licence is held or sought, based on the type of premises, its trading hours and its enforcement history.	\$320.00	\$432.00	\$544.00
Low		\$530.00	\$715.50	\$901.00
Medium		\$710.00	\$958.50	\$1207.00
High		\$890.00	\$1201.50	\$1513.00
Very high		\$1050.00	\$ 1417.5	\$1785.00
Annual fee for on, off, and club licences (including renewals)				
Very low	Council assign a fees category to any premises for which an on-licence, off-licence, or club licence is held or sought, based on the type of premises, its trading hours and its enforcement history.	\$140.00	\$189.00	\$238.00
Low		\$340	\$459.00	\$578.00
Medium		\$550.00	\$742.50	\$935.00
High		\$900.00	\$1215.00	\$1530.00
Very high		\$1250.00	\$1687.50	\$2125.00
Other fees				
Temporary authority	Section 136 (2) of the Act for a temporary authority to carry on the sale and supply of alcohol	\$258.00	\$348.30	\$438.60
Temporary licence	Under section 74 of the Act to sell alcohol pursuant to a licence from premises other than the premises to which the licence relates during repairs etc.	\$258.00	\$348.30	\$438.60
Permanent club charters	The holder of a permanent club charter (as described in section 414 of the Act)	\$550.00	\$742.50	\$935.00
Extract from register	Under section 66 (2) of the Act for an extract from a register	\$50.00	\$67.50	\$85.00
Manager's certificate	No change			

Alcohol policy and bylaws review

Submission form



Submissions close: 5pm, Thursday September 12, 2024.

Full name:

Organisation: (if applicable)

Address for correspondence:

For office use only:

Submission No.

Email:

Phone:

Privacy statement: All submissions (including names and contact details) may be provided in full to elected members. Submissions (including names but not contact details) may be made available to the public at our office and on our website. Your personal information may also be used for the administration of the consultation process, including informing you of the outcome of the consultation. All information collected will be held by Waipā District Council, 101 Bank Street, Te Awamutu with submitters having the right to access and correct personal information.

☐ I acknowledge that I have read the privacy statement and am happy to proceed.

Are you responding on behalf of a licensed premises in Waipā or organisation/ group related to the alcohol industry or alcohol harm reduction?

☐ Yes – if yes, what is the name of the licensed premises or organisation/ group? ☐ No

Local Alcohol Policy

Where, when, and how alcohol can be sold, supplied, and consumed.

On-licences - Alcohol is allowed to be sold and supplied for consumption on the premises, e.g. a bar or restaurant.

1. Do you support the changes to the list of “higher risk” on-licence premises and their trading hours?

Licence applications get assigned a risk rating based on the type of activities that happen there.

Please refer to page 5 in the statement of proposal.

☐ Yes, I support the inclusion of new “higher risk” on-licence premises and the new hours of 9am till 1am.

☐ No, I support the current list of “higher risk” premises and hours of 9am till 2am.

☐ Other (please specify)

2. Do you support the changes to the rules around one-way door policies and discretionary conditions for on-licences? Please refer to pages 5 and 7 in the statement of proposal.

☐ Yes, I support the proposed changes.

☐ No, I prefer the current rules.

☐ Other (please specify)

Off-licences - Alcohol is allowed to be sold for consumption somewhere else, e.g. a supermarket or bottle store.

3. The Policy currently sets out that an off-licence must not be located less than 40 metres near a Sensitive Facility or Community Facility. Do you agree with this distance? Please refer to page 7 in the statement of proposal.

☐ Yes, I agree with the current distance of 40 metres

☐ No, off-licences should be more than 40 metres from Sensitive Facilities or Community Facilities (please specify distance)

☐ No, the limit should be less than 40 metres (please specify distance)

4. Do you support the cap on off-licences in the main shopping centres of Te Awamutu, Kihikihi, Leamington, Cambridge? The cap will last for 6 years (the life of the Policy) but can be adjusted earlier if need be. If one premises closes or loses their licence, someone else can apply to fill that spot. *Please refer to pages 5-6 in the statement of proposal.*

☐ Yes, I support a cap in these town centres

☐ No, I do not support any cap

Are there any comments you would like to make?

Club licences - Alcohol is allowed to be sold and supplied for consumption on the premises to a member of the club, a member’s guest or an authorised visitor. E.g. sports clubs or RSA.

5. Do you support the changes to the rules around one-way door policies and discretionary conditions for club licences? Please refer to page 7 in the statement of proposal.

☐ Yes, I support the proposed changes ☐ No, I prefer the current rules ☐ Other (please specify)

Special licences - There are two kinds of special licences: on-site special licences and off -site special licences. Special licences are used for things such as festivals, concerts, or weddings.

6. Do you support the changes to discretionary conditions for special licences? Please refer to page 7 in the statement of proposal.

☐ Yes, I support the proposed changes ☐ No, I prefer the current rules

Are there any comments you would like to make?

Alcohol Control Bylaw

Where alcohol can be taken into and consumed in public places - the alcohol ban areas.

7. Do you agree with the 24-hour Permanent Alcohol Ban Areas’ locations, boundaries and times? Please refer to pages 8-9 in the statement of proposal.

☐ Yes, I support the proposed locations, boundaries, and times.
☐ No, I prefer the current locations, boundaries, and times.
☐ Other (please specify)

8. Do you agree with the 8pm to 8am Permanent Alcohol Ban Areas’ locations, boundaries and times? Please refer to page 10 in the statement of proposal.

☐ Yes, I support the proposed locations, boundaries, and times.
☐ No, I prefer the current locations, boundaries, and times.
☐ Other (please specify)

APPENDIX 2

Draft Local Alcohol Policy [*ECM Number 11186353*]

DRAFT LOCAL ALCOHOL POLICY

2024



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First adopted:	2016
Revision dates/version:	Reviewed 2024
Next review date:	20XX (every 6 years or as required)
Engagement required:	Special consultative procedure
Document number:	11186353
Associated documents:	Waipa District Council Public Places Alcohol Control Bylaw & Waipā District Plan
Policy owner:	Environmental Services

Preliminary Provisions

1. Preliminary Provisions

1.1. Intent and objective

- 1.1.1. This is the Waipa District Council Local Alcohol Policy 2024 (Policy). It is made under the Sale and Supply of Alcohol Act 2012 (Act). This Policy was adopted by Council on [insert date] and comes into force on [insert date].
- 1.1.2. This Policy is intended to set a clear framework which will be applied to all applications for on, off, club and special licences within the Waipā District.
- 1.1.3. The objective of this Policy is to balance the reasonable needs of the residents of Waipā District regarding the safe and responsible sale, supply and consumption of alcohol, while addressing the statutory requirements of the Sale and Supply of Alcohol Act 2012, including the object of the Act to minimise the harm caused by excessive or inappropriate consumption of alcohol.
- 1.1.4. Definitions are contained in [Schedule 1](#).

1.2. Statutory context

- 1.2.1. The object of the Act is that:
 - a) the sale, supply, and consumption of alcohol should be undertaken safely and responsibly; and
 - b) the harm caused by the excessive or inappropriate consumption of alcohol should be minimised.
- 1.2.2. Section 75 of the Act enables a territorial authority to have a local alcohol policy (LAP) relating to the sale, supply or consumption of alcohol within its district. A LAP may:
 - a) provide differently for different parts of the district;
 - b) apply to only part of the district;
 - c) apply differently to premises for which licences of different kinds are held or have been applied for.
- 1.2.3. Section 77 of the Act provides that some or all of the following matters relating to licensing can be included in a LAP:
 - a) location of licensed premises by reference to broad areas;
 - b) location of licensed premises by reference to proximity to premises of a particular kind or kinds;
 - c) location of licensed premises by reference to proximity to facilities of a particular kind or kinds;
 - d) 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;
 - e) maximum trading hours;

Preliminary Provisions

- f) the issue of licences, or licences of a particular kind or kinds, subject to discretionary conditions;
 - g) one-way door restrictions.
- 1.2.4. A LAP must not include any other matters relating to licensing and must not include policies on any matters not related to licensing.
- 1.2.5. Under section 93 of the Act, a LAP may contain a policy more restrictive than the Council's district plan, however a LAP cannot authorise anything forbidden by the district plan.
- 1.2.6. This Policy does not contain all provisions that may apply to alcohol licensing matters and should be read in conjunction with the Act (and other relevant legislation including, but not limited to, the Resource Management Act 1991 (RMA)).
- 1.2.7. It is the responsibility of the licence applicant to ensure that all relevant requirements are met, including the requirements under the Waipā District Plan and this Policy, before filing an application.
- 1.2.8. There are 4 kinds of alcohol licences under the Act:
 - a) **On-licences:** these are issued for premises where the licensee can sell and supply alcohol for consumption on-site. They can also be endorsed under section 37 of the Act which gives restaurants the ability to allow 'bring your own' alcohol. Common on-licence examples include cafés, hotels, taverns, caterers, restaurants, and BYO restaurants.
 - b) **Off-licences:** these are issued for premises where the licensee can sell alcohol for consumption elsewhere. Common off-licence examples include bottle stores and supermarkets.
 - c) **Club licences:** these are issued for premises where the licensee can sell and supply alcohol only to authorised customers (who are members or visitors of that club) for consumption there.
 - d) **Special licences:** these are issued to allow the sale and consumption of alcohol at events or occasions on premises that are unlicensed, or premises for which the event timing would be outside their normal licence conditions. Not all provisions in this Policy apply to special licences.
- 1.2.9. To obtain a new or renewed licence, the applicant must apply to the relevant District Licensing Committee (DLC). The decision on any application may be appealed to the Alcohol Regulatory and Licensing Authority (ARLA).
- 1.2.10. Once in force, the DLC and ARLA must have regard to this Policy before deciding whether to issue a licence or its renewal.
- 1.2.11. A licence or its renewal may be refused if it is inconsistent with this Policy.
- 1.2.12. In addition, conditions may be imposed by the DLC and ARLA on any licence or its renewal to ensure consistency with this Policy.

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Waipā District Council Local Alcohol Policy 2024

Preliminary Provisions

- 1.2.13. The Waipā District Council Local Alcohol Policy 2016 applied to the determination of all licensing applications prior to this Policy coming into force. This Policy will apply to the determination of a licensing application after this Policy comes into force, notwithstanding that the relevant licensing application was filed prior to this date.

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On-Licences

2. On-Licences

2.1. Introduction

- 2.1.1. On-licences are licences that meet the requirements of sections 14, 15 and 16 of the Act.

2.2. Location of premises holding on-licences by reference to proximity to other licensed premises

- 2.2.1. When considering an application for a new on-licence, the DLC must have regard to the proximity of the proposed premises to existing licensed premises in relation to amenity and good order including noise and density.

2.3. Location of premises holding on-licences by reference to proximity to Sensitive Facilities

- 2.3.1. No new on-licence may be issued in respect of premises that directly border any Sensitive Facility existing at the time the new on-licence application is filed.
- 2.3.2. In addition, no new on-licence may be issued in respect of any premises that:
- a) is outside the Permitted Area; and
 - b) is less than 40 metres from the boundary of any Sensitive Facility existing at the time the licence application is filed.

Guidance note:

Distances are measured in a direct line 'as the crow flies'. Please see section 6.1.5. and Figures 2 and 3 for further clarification.

- 2.3.3. Clauses 2.3.1 and 2.3.2 do not apply where the DLC or ARLA is satisfied that there will be no impact, other than to a minor extent, on those persons using the relevant Sensitive Facility. The applicant may demonstrate the level of impact by providing evidence or explanation, where relevant, on factors such as (but not limited to):
- a) hours of operation,
 - b) external alcohol related signage and advertising,
 - c) operation of the premises (such as steps being taken to minimise alcohol related harm, nature of the premises, products being sold, CCTV),
 - d) a statement from the relevant Sensitive Facilities,
 - e) the number and proximity of the relevant Sensitive Facilities and any significant physical barriers (such as a river or expressway).
- 2.3.4. The renewal of an on-licence or the issue of an on-licence to a new licensee for an existing on-licensed premises will not be affected by any Sensitive Facility established after the original on-licence has been issued.

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Waipa District Council Local Alcohol Policy

On-Licences

2.4. Maximum trading hours for premises holding on-licences

2.4.1. Subject to sections 46 and 47 of the Act, no on-licence may be issued or renewed for:

- a) any hotel,
- b) Class 1 restaurant,
- c) other on-licence premises listed in section 5(3) of the Sale and Supply of Alcohol (Fees) Regulations 2013 with a weighting of 15 or more at the time of application, or
- d) other premises where the principal activity is the provision of alcohol and other refreshments to the public,

with trading hours that exceed Monday to Sunday 9.00am to 1:00am the following day.

2.4.2. The premises listed in 2.4.1. are types of premises that are at higher risk of causing alcohol-related harm. The premises listed in 2.4.1.(c) capture the types of premises referred to in the Sale and Supply of Alcohol (Fees) Regulations 2013 as night club, tavern and adult premises. The Sale and Supply of Alcohol (Fees) Regulations 2013 gives a risk rating to licensed premises based on the types of activities that occur there, trading hours and previous enforcement action.

2.4.3. Subject to sections 46 and 47 of the Act, no new on-licence may be issued within 100 meters of any area within the Residential Zone for:

- a) any hotel,
- b) Class 1 restaurant,
- c) other on-licence premises listed in section 5(3) of the Sale and Supply of Alcohol (Fees) Regulations 2013 with a weighting of 15 or more at the time of application,
- d) tavern, or
- e) other premises where the principal activity is the provision of alcohol and other refreshments to the public,

with trading hours that exceed:

- Sunday to Thursday 9:00am to 10:30pm
- Friday and Saturday 9:00am to 12:00 midnight

2.4.4. Subject to sections 46 and 47 of the Act, no on-licence may be issued or renewed in respect of:

- a) any restaurant (other than a class 1 restaurant),
- b) café or
- c) function centre premises

with trading hours that exceed Monday to Sunday 7:00am to 1:00am the following day.

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Waipā District Council Local Alcohol Policy 2024

On-Licences

- 2.4.5. No on-licence may be issued or renewed for any premises with an outdoor dining area in a public area, if the licensed hours for the outdoor dining area forming part of that premises exceeds 9:00am to 11:00pm on any day.
- 2.4.6. No on-licence may be issued or renewed in respect of any other premises not specified in clauses 2.4.1, 2.4.2, 2.4.3, and 2.4.4 above, if the trading hours for that premises exceeds Monday to Sunday 9:00am to 1:00am the following day.

2.5. Discretionary conditions of on-licences

- 2.5.1. In accordance with sections 110(1) and 117 of the Act, the DLC or ARLA may impose discretionary conditions (in addition to conditions required by section 110(2) of the Act) on any new on-licence or renewed on-licence, including about the following matters:

(a) Display of information about safe transport options

The licensee must display information about transport availability as follows:

- i. An A4 poster must be clearly displayed in at least two of the following locations:
 - by the main counter or bar; or
 - by the principal exit; or
 - the bathrooms; or
 - another location approved by the DLC or ARLA
- ii. The content of the poster must include the following:
 - anti-drink driving messaging; and
 - where applicable, taxi contact details and the location of the nearest taxi rank; and
 - advice that staff are available to give further information.

(b) Host Responsibility Policy.

The licensee must always have in place a Host Responsibility Policy.

(c) CCTV for any hotel, Class 1 restaurant, other on-licence premises listed in section 5(3) of the Sale and Supply of Alcohol (Fees) Regulations 2013 with a weighting of 15 at the time of application, or tavern:

- i. The licensee must operate CCTV on any premises identified as Class 1 restaurant, class 1 club, bottle stores, and premises deemed as taverns.
- ii. The DLC and ARLA must consider specifying, as relevant:
 - that recordings made should be provided to a Police Officer or Licensing Inspector if requested.
 - that recordings must be of a quality that would assist in the identification of alcohol-related offending;

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Waipa District Council Local Alcohol Policy 2024

On-Licences

- the areas that must be covered by the CCTV must include entry and exit points, footpaths that are immediately adjacent to the premises, main body of the premises accessed by patrons.
- Minimum days for which recordings must be kept should be 14 days.
- Premises have six months to comply from the date of a new licence being granted or renewed.

(d) Register of alcohol-related incidents.

- i. The licensee must maintain a register of material alcohol-related incidents, noting the date, time and details of each incident, and the steps taken by the licensee in response to the incident.
- ii. For the purposes of this condition, the term “material alcohol-related incidents” includes, but is not limited to the following situations:
 - a patron or staff member is seriously threatened; or
 - fighting occurs on the premises; or
 - an external agency such as the Police, Wardens or emergency services has been contacted; or
 - a patron has been forcibly evicted and/or banned from the premises; or
 - property is wilfully damaged by a patron;
 - patrons are found to be involved in any illegal activities on the premises, including drink spiking.
 - where the excessive or inappropriate consumption of alcohol may have been a contributing factor.
- iii. The register of incidents must be available for inspection by the Police and Licensing Inspectors at any time that the premises is open to the public and an incident should be recorded in the register within 12 hours of the incident occurring.

(e) Conditions relating to minimum numbers of certificated managers and staff.

The exact number of managers and staff required will depend on the layout, use, licensed hours, and capacity of the premises.

(f) Provision of additional lighting around entrances and exits to ensure the safety of patrons.

2.6. One-way door restrictions

- 2.6.1. A one-way door restriction may be applied from midnight Monday to Sunday for any Class 1 restaurant, other on-licence premises listed in section 5(3) of the Sale and Supply of Alcohol (Fees) Regulations 2013 with a weighting of 15 or more at the time

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Waipā District Council Local Alcohol Policy 2024

On-Licences

of application, or tavern, where those premises have a closing time later than midnight.

- 2.6.2. This condition may be added to on-licences as they are issued or renewed.

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Off-Licences

3. Off-Licences

3.1. Introduction

- 3.1.1. Off-licences are those licences that meet the requirements under sections 17, 18, 19 and 20 of the Act.

3.2. Location of premises holding off-licences by reference to proximity to other licensed premises

- 3.2.1. When considering a new off-licence application, the DLC and ARLA must have regard to the proximity of the proposed new premises to existing off-licence premises in relation to amenity and good order including noise and density.
- 3.2.2. No new off-licence may be issued in respect of premises also holding an on-licence without there being a separate point of sale and supply for the proposed off-licence.

3.3. Location of premises holding off-licences by reference to proximity to Sensitive Facilities

- 3.3.1. No new off-licence may be issued in respect of premises that:
- a) is located within the Permitted Area; and
 - b) directly borders any Sensitive Facility or Community Facility existing at the time the licence application is filed.
- 3.3.2. The decision on any renewal of an off-licence will not be affected by any Sensitive Facility or Community Facility established after the original off-licence subject to that renewal has already been issued. However, the DLC and ARLA must have regard to any substantial change in the operation of the off-licensed premises when renewing a licence that directly borders a Sensitive Facility or Community Facility.
- 3.3.3. No new off-licence may be issued in respect of a premises that:
- a) is outside the Permitted Area; and
 - b) is less than 40 metres from the boundary of any Sensitive Facility or Community Facility existing at the time the application is lodged; or
 - c) is greater than 40 metres and less than 100 metres from the boundary of any Sensitive Facility or Community Facility and the DLC or ARLA reasonably believes that a person using the Sensitive Facility or Community Facility will be significantly impacted.

Guidance note:

Distances are measured in a direct line 'as the crow flies'. Please see section 6.1.5. and Figures 2 and 3 for further clarification.

Off-Licences

- 3.3.4. Clauses 3.3.1 and 3.3.3(a) and (b) do not apply where the DLC or ARLA is satisfied that there will be no impact, other than to a minor extent, on those persons using the relevant Sensitive Facility or Community Facility. The applicant may demonstrate the level of impact by providing evidence or explanation, where relevant, on factors such as (but not limited to):
- a) compliance with the outcomes listed in 3.8.1.(c) to 3.8.1(k),
 - b) hours of operation,
 - c) external alcohol related signage and advertising,
 - d) operation of the premises (such as steps being taken to minimise alcohol related harm, nature of the premises, products being sold),
 - e) a statement from the relevant Sensitive Facilities and Community Facilities,
 - f) the number and proximity of the relevant Sensitive Facilities and Community Facilities and any significant physical barriers (such as a river or expressway).

3.4. Amenity and good order

- 3.4.1. When considering amenity and good order in relation to a new off-licence, the DLC and ARLA must have regard to the proximity of the premises to a public park, car park or reserve particularly where that park, car park or reserve is within a Permanent Alcohol Ban Area prescribed by Waipā District Council's relevant Alcohol Control Bylaw and, if necessary, impose the conditions set out in 3.8.

3.5. Further issuing of off-licences in the District

- 3.5.1. No new off-licences may be issued in the areas specified below and shown in [Schedule 2](#) if the total number of off-licences within those areas exceed the number specified below;
- 3.5.2. Kihikihi 2*
 - 3.5.3. Te Awamutu East 2*
 - 3.5.4. Te Awamutu Central 7*
 - 3.5.5. Cambridge Central 8*
 - 3.5.6. Leamington North 2*
 - 3.5.7. Leamington Central 4*

Off-Licences

numbers to be updated to reflect the number of off-licences when Policy takes effect.

Guidance note:

This Policy was adopted by Council on [insert date] and comes into force on [insert date]. The Waipā District Council Local Alcohol Policy 2016 applied to the determination of all licensing applications prior to this Policy coming into force. This Policy will apply to the determination of a licensing application after this Policy comes into force, notwithstanding that the relevant licensing application was filed prior to this date.

- 3.5.8. The prohibition in clause 3.5.1 will not apply to an application for an off-licence in respect to a premises subject to an existing off-licence or subject to an off-licence in the previous 12 months prior to the application, special licence, temporary authority, remote seller, or where the principal business carried on is the manufacture of alcohol, or for applications under section 35 of the Act (for example, florists adding an alcoholic drink to a gift basket).

3.6. Maximum trading hours for premises holding off-licences

- 3.6.1. No off-licence may be issued or renewed with trading hours that exceed Monday to Sunday 7:00am to 10:00pm (subject to section 48 of the Act).

3.7. Remote sale and remote sellers

- 3.7.1. Remote sellers are excluded from 3.6. subject to section 40 of the Act.
- 3.7.2. The remote sale of alcohol may be made at any time on any day subject to section 49 of the Act.

3.8. Discretionary conditions of off-licences

- 3.8.1. In accordance with sections 116 and 117 of the Act, the DLC and ARLA may impose discretionary conditions (in addition to the conditions required by sections 112 and 116(2) of the Act) on any new off-licence or renewed off-licence, including about the following matters:

(a) Register of alcohol related incidents

- i. The licensee must maintain a register of material alcohol-related incidents, noting the date, time and details of each incident, and the steps taken by the licensee in response to the incident.
- ii. For the purposes of this condition, the term “material alcohol-related incidents” includes, but is not limited to the following situations:
 - a patron or staff member is seriously threatened; or
 - fighting occurs on the premises; or an external agency such as the Police, Wardens or emergency
 - services has been contacted; or

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Off-Licences

- a patron has been forcibly evicted and/or banned from the premises; or
 - property is wilfully damaged by a patron;
 - where the excessive or inappropriate consumption of alcohol may have been a contributing factor.
- iii. The register of incidents must be available for inspection by the Police and Licensing Inspectors at any time that the premises is open to the public and the incident should be recorded in the register within 12 hours of the incident occurring.

(b) Remote sale deliveries

- i. The outside of the delivery package must contain the following words:

Courier Warning

1. Contains alcohol.
2. Do not leave at destination without proof of delivery.

(c) CCTV for off-licences:

- i. The licensee must operate CCTV on the premises identified as an off-licence.
- ii. The DLC and ARLA must consider specifying, as relevant:
- that recordings made should be provided to a Police Officer or Licensing Inspector if requested.
 - that recordings must be of a quality that would assist in the identification of alcohol-related offending;
 - the areas that must be covered by the CCTV must include entry and exit points, footpaths that are immediately adjacent to the premises, main body of the premises accessed by patrons.
 - Minimum days for which recordings must be kept should be 14 days.
 - Premises have six months to comply from the date of a new licence being granted or renewal.

(d) Application of Crime Prevention Through Environmental Design (CPTED) principles to achieve the following outcomes:

- i. Lighting
- Internal lighting inside the premises to enable passive surveillance by staff and active 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 a district plan rule.

Off-Licences

- ii. Internal Layout
 - General points of sale to be positioned near the main entrance.
- iii. Staff
 - Relevant staff understanding how to operate the CCTV system.
 - There being sufficient numbers of staff to ensure control of the premises during trading hours.
 - A minimum number of certified managers and staff to be present onsite. The exact number of managers and staff required will depend on the layout, use and capacity of the premises.
- (e) **At least 50% of any store front glazing will be transparent**, consistent with CPTED guidelines 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.
- (f) **External Advertising**
 - i. Signage will be limited to displaying the store name and logo only.
 - ii. No external display of alcohol products or pricing, this includes flags, sandwich boards or any mobile signage.
- (g) **Banning sale of non-alcoholic products that pose a high risk of alcohol-related harm.**
 - i. Such a condition should aim to prevent the sale of risky items that encourage dangerous drinking such as beer pong cups.
- (h) **Conditions relating to Method of payment**
 - i. Consider if 'buy now pay later' is an inappropriate method of payment for the sale and supply of alcohol purchased either remotely or on premises. To avoid doubt, this condition excludes credit cards.
- (i) **Single sales of alcohol**
 - i. A limitation of the sale of single units of beer, cider and RTD's less than 500ml but higher than 5% strength from the premises.
- (i) **Remote sale of alcohol**
 - i. Alcohol sales are limited to only those manufactured by the licensee where relevant.

Club Licences

4. Club Licences

4.1. Introduction

- 4.1.1. Club licences are those licences that meet the requirements under section 21 of the Act.

4.2. Location of premises holding club licences by reference to broad areas

- 4.2.1. New club licenses may only be issued in respect of premises located at or next to the sports grounds or other facilities used by the club, as relevant.

4.3. Location of premises holding club licences by reference to proximity to other licensed premises

- 4.3.1. When considering an application for a new club licence, the DLC and ARLA must have regard to the proximity between the premises subject to a proposed new club licence and any other existing licensed premises to assess the impact to amenity and good order including noise, density and the potential alcohol-related harm caused by venue hopping.

4.4. Location of premises holding club licences by reference to proximity to Sensitive Facilities

- 4.4.1. The DLC and ARLA must have regard to the proximity of any premises subject to a proposed new club licence to any Sensitive Facility or residential area.

4.5. Maximum trading hours for premises holding club licences

- 4.5.1. The DLC and ARLA must have regard to the days and hours of operation, and the type of activities undertaken by the club, in setting club hours for any new club licence.
- 4.5.2. Subject to section 46 of the Act, no club licence may be issued or renewed with trading hours that exceed Monday to Sunday 9.00am to 1.00am the following day.

4.6. Discretionary conditions of club licences

- 4.6.1. In accordance with sections 110(1) and 117 of the Act, the DLC and ARLA may impose discretionary conditions (in addition to those required by section 110(2)) on any new club licence or renewed club licence, including about the following matters:

(a) Display of information about safe transport options

The licensee must display information about transport availability as follows:

- i. an A4 poster must be clearly displayed in at least two of the following locations:
 - by the main counter or bar; or

Club Licences

- by the principal exit; or
 - the bathrooms; or
 - another location approved by the DLC or ARLA
- ii. The content of the poster must include the following:
- anti-drink driving messaging; and
 - where applicable, taxi contact details and the location of the nearest taxi rank; and
 - advice that staff are available to give further information.

(b) Duty Manager

The licensee of a Club licence to ensure that the duty manager is present at the following times:

- i. On Fridays and Saturdays from 6pm; and
- ii. At any other time when over 50 patrons can be reasonably expected to be present.

(c) Host Responsibility Policy

The licensee must always have in place a Host Responsibility Policy.

(d) Register of alcohol related incidents

- i. The licensee must maintain a register of material alcohol-related incidents, noting the date, time and details of each incident, and the steps taken by the licensee in response to the incident.
- ii. For the purposes of this condition, the term “material alcohol-related incidents” includes, but is not limited to the following situations:
 - a patron or staff member is seriously threatened; or
 - fighting occurs on the premises; or
 - an external agency such as the Police, Wardens, or emergency services have been contacted; or
 - a patron has been forcibly evicted and/or banned from the premises; or
 - property is wilfully damaged by a patron; or
 - patrons are found to be involved in any illegal activities on the premises, including drink spiking; or
 - where the excessive or inappropriate consumption of alcohol may have been a contributing factor.
- iii. The register of incidents must be available for inspection by the Police and Licensing Inspectors at any time that the premises is open to the public and incident should be recorded in the register within 2 hours of the incident occurring.

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Waipa District Council Local Alcohol Policy

Club Licences

(e) CCTV

- i. The licensee must operate CCTV on the premises identified as Class 1 club.
- ii. The DLC and ARLA may consider specifying:
 - that recordings made should be provided to a Police Officer or Licensing Inspector if requested.
 - that recordings must be of a quality that would assist in the identification of alcohol-related offending.
 - the areas that must be covered by the CCTV must include entry and exit points, footpaths that are immediately adjacent to the premises, main body of the premises accessed by patrons.
 - minimum days for which recordings must be kept should be 14 days.
 - premises have six months to comply from the date of a new licence being granted or renewed.

(f) Conditions relating to minimum numbers of certificated managers and staff

In addition to the duty manager condition above, the minimum number of certified managers and staff to be present on site. The exact number of managers and staff required will depend on the layout, use, licensed hours, and capacity of the premises.

4.7. One-way door restrictions

- 4.7.1. A one-way door restriction may be applied from midnight Monday to Sunday, for any Class 1 club where those premises have a closing time later than midnight.

Special Licences

5. Special Licences

5.1. Introduction

- 5.1.1. Special licences are those licences that meet the requirements under section 22 of the Act.

5.2. Issuing of special licences in the District

- 5.2.1. The DLC and ARLA, subject to section 41 of the Act, may refuse a special licence or licences where it considers it would be more appropriate for the applicant to apply for an on-licence, off-licence or club licence, or for a variation of an existing licence.

5.3. Maximum trading hours for premises holding special licences

- 5.3.1. Special licences for premises that are not otherwise licensed will not be issued with trading hours later than 1.00 am on the day following the event, except in circumstances where the DLC or ARLA is satisfied that the event will not increase alcohol-related harm.
- 5.3.2. Where the applicant for a special licence already holds an on, off or club licence at the relevant premises with the maximum trading hours permitted for that type of licence under this Policy, a special licence with greater trading hours will only be issued in circumstances where the DLC or ARLA is satisfied that the event will not increase alcohol-related harm.

5.4. Discretionary conditions of special licences

- 5.4.1. In accordance with sections 146 and 147(1), and in addition to the conditions required by section 147(3), the DLC and ARLA may impose discretionary conditions on any special licence, including about the following matters:

- (a) **The provision of food for consumption on the premises**
- (b) **The provision of low and non-alcoholic beverages**
- (c) **The provision of information relating to transport options**
- (d) **Exclusion of the public**
- (e) **The filing of returns**
- (f) **Alcohol Management Plan**

Alcohol Management Plans will be required for large-scale events of 400 people or more.

- (g) **Conditions relating to non-glass types of vessels to avoid injury and damage**

Provision of toughened glass, plastics/polycarbonates, or official glasses depending on the type of event and the design and layout of the premises, in particular, for events being held primarily outdoors or that are considered by the DLC or ARLA to be high-risk events.

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Waipa District Council Local Alcohol Policy

Special Licences

(h) Number and kind of alcoholic beverages

- i. Conditions restricting the number of alcoholic beverages and kinds of alcohol that can be sold and supplied per patron per transaction. To be applied for the entire duration of the event, or after a certain time, as appropriate.
- ii. Conditions restricting the maximum volumes for free sample tastings.

(i) Engagement with Police, Medical Officer of Health and Licensing Inspector

Implemented as necessary for a large-scale event:

- i. consultation of the agencies prior to the event, where requested by the agencies; and or
- ii. meeting/debriefing with the agencies after the event, where requested by the agencies, and if the licensee will be holding future events of a comparable nature.

(j) Queue management

Management of queues at the entrances to the event and/or queues for bar areas.

(k) Staggered closing times

Implementation of progressive closing times and staggering the closing times of different bar areas at the event.

(l) Security

- i. A minimum ratio of security staff to patrons and/or specification of a minimum number of security staff to be operating at certain areas of the event.
- ii. A security plan will detail provision of security staff, identify risks and risk management, emergency response, appointment of a responsible person, identification of security by patrons, security at access points, security at perimeter, signs and notices placed for reporting issues and steps to be taken for monitoring.

5.5. One-way door restrictions

- 5.5.1. The DLC and ARLA may impose a one-way door restriction condition on any special licence where it believes this is warranted. The one-way door restriction condition will not apply any earlier than two hours prior to the conclusion of the event.

Temporary Authorities

6. Temporary Authorities

- 6.1.1. All temporary authority applications will be passed to the Police to give them an opportunity to enquire into the application.
- 6.1.2. Pursuant to section 136(4)(c) every temporary authority will be subject to a condition that no second or subsequent temporary authorities will be issued in respect to the same premises and licensee unless a full licence application has already been filed, or, in exceptional circumstances, with the prior approval of the Chairperson/Commissioner of the Licensing Committee.

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Waipa District Council Local Alcohol Policy

Schedule 1 - Definitions

Schedule 1 - Definitions

Act	means the Sale and Supply of Alcohol Act 2012.
Alcohol	has the meaning given by section 5(1) of the Act, which is a substance: a) that— i. is or contains a fermented, distilled, or spirituous liquor; and ii. at 20°C is found on analysis to contain 1.15% or more ethanol by volume; or b) that— i. is a frozen liquid, or a mixture of a frozen liquid and another substance or substances; and ii. is alcohol (within the meaning of paragraph (a)) when completely thawed to 20°C; or c) that, whatever its form, is found on analysis to contain 1.15% or more ethanol by weight in a form that can be assimilated by people.
Alcohol-related harm	has the meaning given by section 5(1) of the Act, which is: Alcohol-related harm a) means the harm caused by the excessive or inappropriate consumption of alcohol; and b) includes— i. any crime, damage, death, disease, disorderly behaviour, illness, or injury, directly or indirectly caused, or directly or indirectly contributed to, by the excessive or inappropriate consumption of alcohol; and ii. any harm to society generally or the community, directly or indirectly caused, or directly or indirectly contributed to, by any crime, damage, death, disease, disorderly behaviour, illness, or injury of a kind described in subparagraph (i)

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Waipa District Council Local Alcohol Policy

Schedule 1 - Definitions

Applicant	means the applicant for an alcohol licence under the Act.
ARLA	means the Alcohol Regulatory and Licensing Authority.
Authorised customer	has the meaning given by section 60(3) of the Act, which is: in relation to premises a club licence is held for, means a person who— - is a member of the club concerned; or - is on the premises at the invitation of, and is accompanied by, a member of the club concerned; or - is an authorised visitor.
Authorised visitor	has the meaning given by section 60(3) of the Act, which is in relation to premises a club licence is held for, a member of some other club with which the club concerned has an arrangement for reciprocal visiting rights for members.
Bar	- has the meaning given by section 5(1) of the Act, which is, in relation to a hotel or tavern, means a part of the hotel or tavern used principally or exclusively for the sale or consumption of alcohol. - in relation to other establishments not listed in (a), means a place where drinks, especially alcoholic drinks, are sold and drunk, or the area in such a place where the person serving the drinks stands.
Bottle store	means a premises that holds an off-licence where the primary purpose is the retail of alcohol for consumption elsewhere. This does not include remote sellers.
Café	see Restaurant.
Club	has the meaning given by section 5(1) of the Act, which means a body that— is a body corporate having as its object (or as one of its objects) participating in or promoting a sport or other recreational activity, otherwise than for gain; or

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Waipa District Council Local Alcohol Policy

Schedule 1 - Definitions

	b) is a body corporate whose object is not (or none of whose objects is) gain; or c) holds permanent club charter.
Class 1 club	has the meaning given by section 5(6) of the Sale and Supply of Alcohol (Fees) Regulations 2013 which is, a club that has or applies for a club licence and— a) has at least 1000 members of purchase age; and b) in the opinion of the territorial authority, operates any part of the premises in the nature of a tavern at any time.
Class 1 restaurant	has the meaning given by section 5(6) of the Sale and Supply of Alcohol (Fees) Regulations 2013 which is, a restaurant that has or applies for an on-licence and— a) has, in the opinion of the territorial authority, a significant separate bar area; and b) in the opinion of the territorial authority, operates that bar area, at least 1 night a week, in the manner of a tavern.
Club licence	means a licence for a club issued in respect of premises where the licensee can sell alcohol only to authorised customers, for consumption there.
Community facility	means Council owned or managed cultural or administrative facilities such as libraries, museums, and community halls.
Council	means the Waipā District Council.
CPTED or Crime Prevention Through Environmental Design	means a crime prevention philosophy based on proper design and effective use of the built Environment. Note: the use of CPTED is intended to reduce crime and fear of crime by reducing criminal opportunity and fostering positive social interaction among legitimate users of space.
Directly borders	means, in relation to a premises, directly adjoining and contiguous to that premises and includes being directly opposite across the road or at a 45° angle across the road from that premises, as detailed in <i>Figure 1</i> below.

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Waipa District Council Local Alcohol Policy

Schedule 1 - Definitions

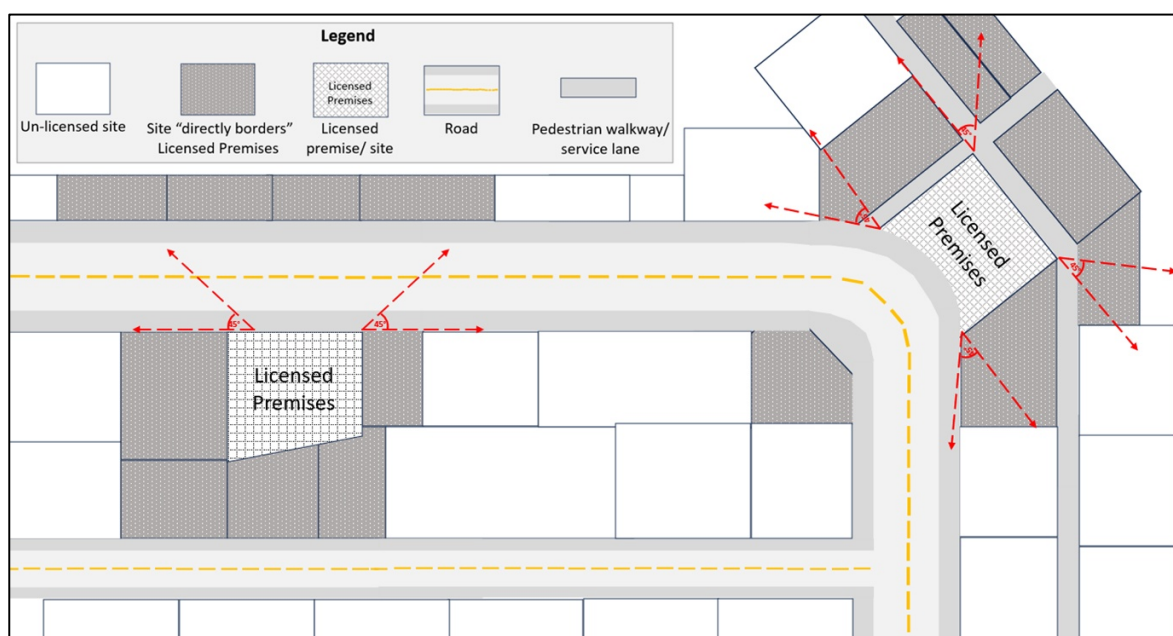


Figure 1: Diagram of Directly Borders – Indicative only.

DLC	means the Waipā District Licensing Committee.
Duty manager	means a manager of a licensed premises, who holds a manager's certificate and is appointed as a manager under the Act.
Early childcare facility	includes any crèche, childcare centre, kindergarten, kohanga reo, play centre or Plunket rooms, and any other place (excluding a school) where five or more children receive care or education on a commercial basis.
Event	includes an occasion and a gathering, and any of a series of events.

Guidance note:

The intent of granting a licence to a "series of events" is to provide for events that reoccur in essentially the same manner and same level of lower risk over time. For example, a theatre showing the same show, expecting a similar amount of patrons, at the same place, at the same time on several different dates during a

Schedule 1 - Definitions

Function centre	premises in which the principal business is pre-booked private functions where alcohol is sold or supplied in conjunction with those functions.
Host responsibility policy	means a policy the licensee and/or premises manager composes that outlines steps they will take to ensure they are acting as a responsible host. The matters covered are steps taken to: a) prevent intoxication; and b) not serve alcohol to minors; and c) provide and actively promote low and non-alcoholic alternatives; and d) provide and actively promote substantial food; and e) serve alcohol responsibly or not at all; and f) arrange safe transport options; and g) actively manage the premises at all times.
Hotel	has the meaning given by section 5(1) of the Act, which 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
Inspector	has the meaning given by section 5(1) of the Act, which means an inspector appointed under section 197(1) of the Act; and,— a) in relation to premises that are not a conveyance, means an inspector appointed by the chief executive of the territorial authority in whose district the premises are situated; and b) in relation to a conveyance, means an inspector appointed by the chief executive of the territorial authority in whose district the principal place of business in New Zealand of the applicant or licensee (as the case may be) is situated.
Large scale event	means an event to which section 143 of the Act applies.

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Waipa District Council Local Alcohol Policy

Schedule 1 - Definitions

Licensed premises	has the meaning given by section 5(1) of the Act, which means any premises for which a licence is held.
Licensee	has the meaning given by section 5(1) of the Act, which means: a) a person who holds a licence; and b) in relation to any licensed premises, means the person who holds the licence concerned.
Marae	means an area of land set apart for the common use of tāngata whenua of Waipā District and can include a complex of buildings such as wharehau (meeting house), wharekai (dining hall), whārepaku (ablution block), papakāinga (housing); and/or other facilities generally associated with a marae or pā.
Medical Officer of Health	has the meaning given by section 2(1) of the Health Act 1956.
New club licence	means a club licence (or proposed club licence) in respect of a premises that is subject to a club licence for the first time or a premises that has not been subject to a club licence in the twelve (12) months prior to the relevant licence application.
New on-licence	means an on-licence (or proposed on-licence) in respect of a premises that is subject to an on-licence for the first time or a premises that has not been subject to an on-licence in the twelve (12) months prior to the relevant licence application.
New off-licence	means an off-licence (or proposed off-licence) in respect of a premises that is the subject to an off-licence for the first time or a premises that has not been subject to an off-licence in the twelve (12) months prior to the relevant licence application.
Off-licence	means that on the premises an off-licence is held for, the licensee can sell alcohol for consumption somewhere else.
On-licence	means that on the premises an on-licence (other than an on-licence endorsed under section 37) is held for, the licensee can sell and supply alcohol for consumption there and can let people consume alcohol.

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Waipa District Council Local Alcohol Policy

Schedule 1 - Definitions

One-way door restriction	has the meaning given by section 5(1) of the Act, which means in relation to a licence, is a requirement that, during the hours stated in the restriction,— a) no person is to be admitted (or re-admitted) into the premises unless he or she is an exempt person; and b) no person who has been admitted (or re-admitted) into the premises while the restriction applies to the licence is to be sold or supplied with alcohol.
Outdoor dining area	means an area of a premises holding an on-licence or club licence that is outside of the building which comprises any part of a public footpath, pavement or other public place, and is used principally for dining.
Permitted Area	means an area under the Operative Waipā District Plan where licensed premises are a permitted activity.
Place of worship	includes any church, mosque or other facility designed primarily for worship and related religious activities.
Police	means the New Zealand Police.
Premises	has the meaning given by section 5(1) of the Act, which includes a) a conveyance; and b) includes part of any premises; and c) in relation to a licence, means the premises the licence was issued for.
Prohibited persons	are persons to whom alcohol cannot be served including minors and intoxicated persons and in the case of clubs any person who is not an authorised customer.
Public park	means any park, reserve, playground, garden or similar public place maintained by or on behalf of the Council for recreation purposes.

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Waipa District Council Local Alcohol Policy

Schedule 1 - Definitions

Rehabilitation treatment centre	means residential support houses and inpatient or outpatient specialist units that primarily provide support or treatment of alcohol, drug or substance abuse or addiction, but to avoid doubt, excludes general practice clinics or medical centres.
Remote sale	has the meaning given by section 5(1) of the Act, which is, in relation to alcohol, means a sale pursuant to a contract that— a) has been entered into (using the Internet, by telephone or mail order, or in any other way) between— i. a seller who holds an off-licence; and ii. a person (whether the buyer or a person acting on the buyer's behalf) who is at a distance from the premises where the seller entered into the contract; and b) contains a term providing for the alcohol to be delivered to the buyer (or to a person or place nominated by the buyer) by or on behalf of the seller.
Restaurant or Café	has the meaning given by section 5(1) of the Act, which 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.
School	includes any primary, intermediate or secondary school and any kura kaupapa.
Sensitive facility	means a school, early childcare facility, place of worship, rehabilitation treatment centre, or marae.
Special licence	means the type of licence detailed in section 22 of the Act.
Tavern	has the meaning given by section 5(1) of the Act, which means premises used or intended to be used in the course of business principally for providing alcohol and other refreshments to the public; but does not include an airport bar.
Temporary authority	means a temporary authority order issued and in force under section 136 of the Act.

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Waipa District Council Local Alcohol Policy

Schedule 1 - Definitions

- 6.1.3. Unless the context requires another meaning, a term of expression that is defined in the Act or the Operative Waipā District Plan, and used in this Policy but not defined, has the meaning given by the Act firstly, and by the Operative Waipā District Plan secondly.
- 6.1.4. To avoid doubt, reference to “include”, “including”, and “such as” in this Policy means without limitation.
- 6.1.5. For the purposes of measuring the distance between sites for the purpose of this Policy, the following methodology will apply:
- a) for sites on separate Records of Title, the Record of Title boundaries will be used and measured from the closest point of the subject site Record of Title to the closest point of the relevant existing site Record of Title. See *Figure 2* below.
 - b) for sites on the same Record of Title, the alcohol area boundary will be used and measured from the closest point of the subject site alcohol area boundary to the closest point of the relevant existing site boundary. See *Figure 3* below.

Schedule 1 - Definitions

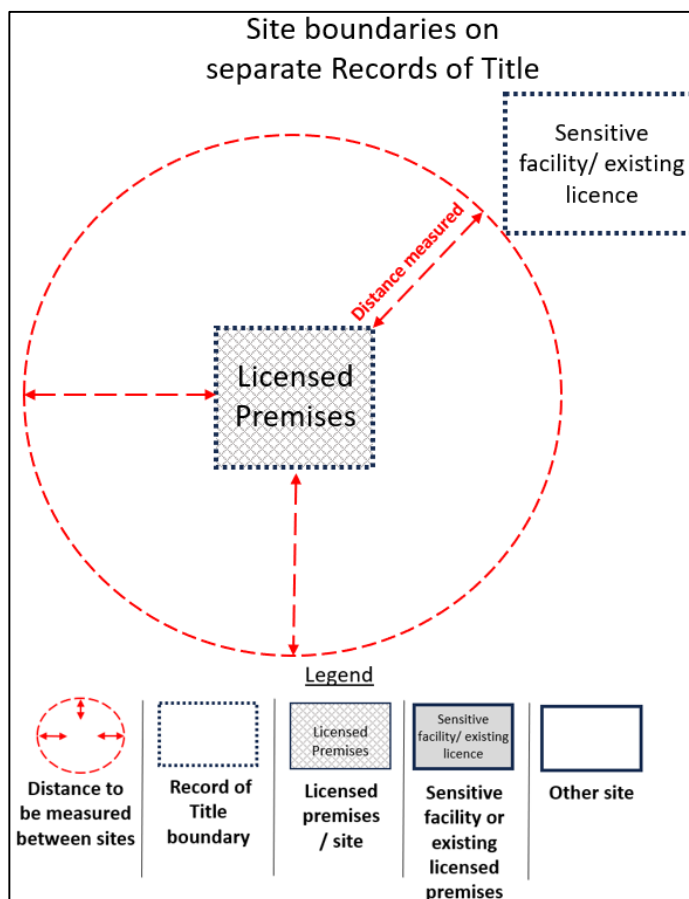


Figure 3: Measuring between sites on separate Records of Title.

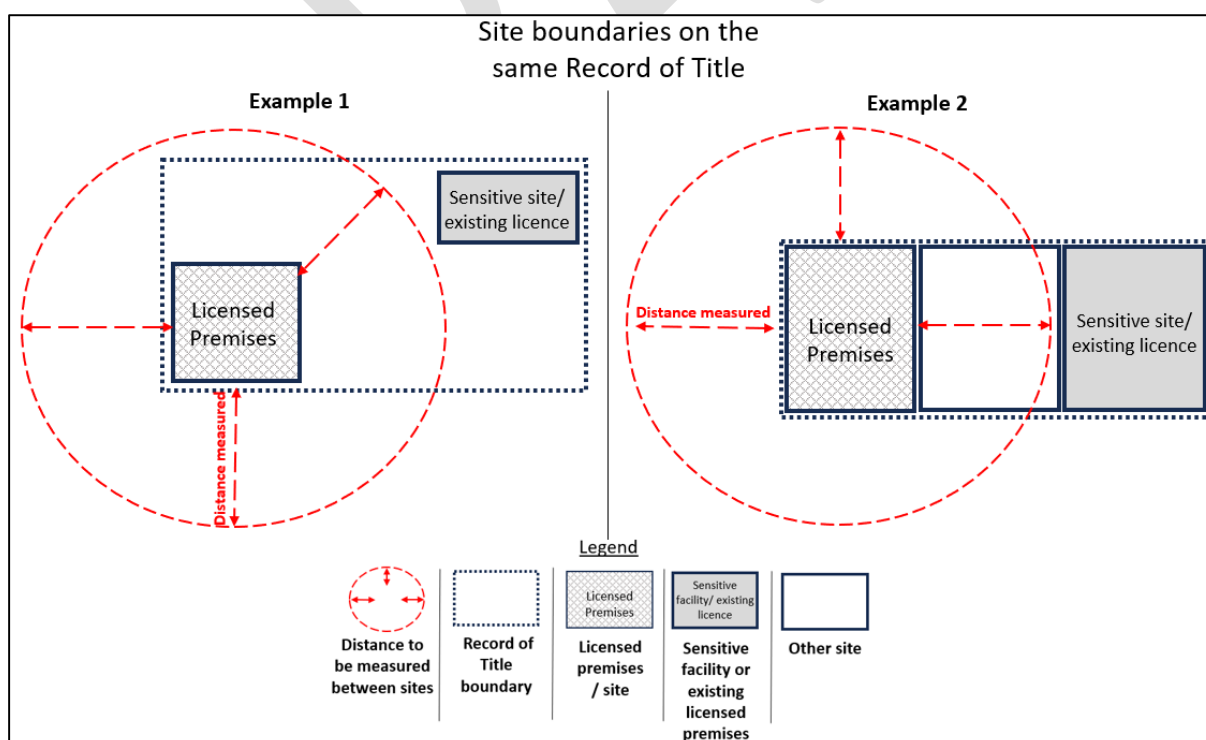


Figure 2: Measuring between sites on the same Record of Title.

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Waipa District Council Local Alcohol Policy

Schedule 2 - Areas limiting new off-licence premises

Schedule 2 – Areas limiting new off-licence premises

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Waipā District Council Local Alcohol Policy

Schedule 2 - Areas limiting new off-licence premises

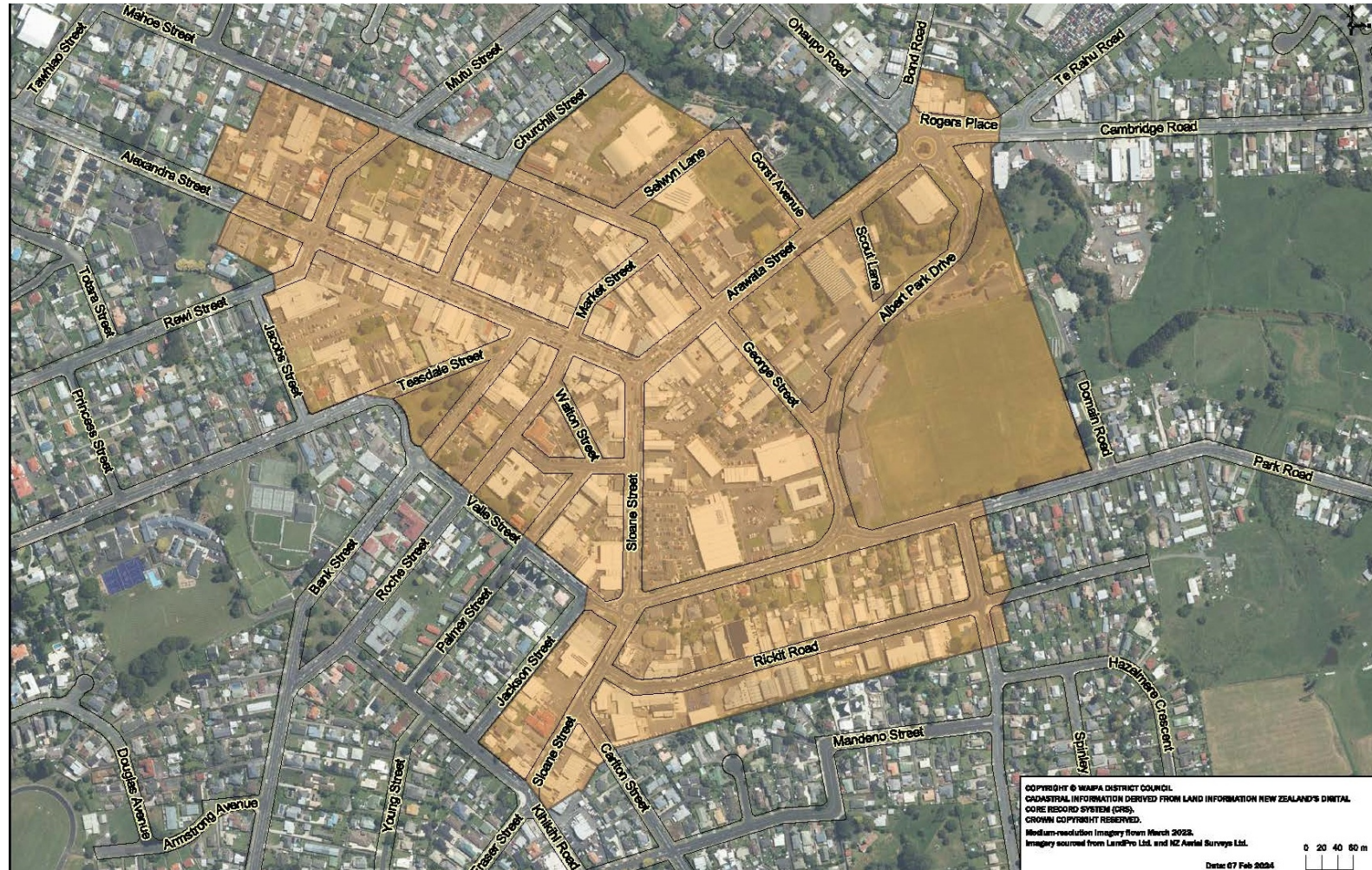
Te Awamutu East



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 Waipā District Council Local Alcohol Policy

Schedule 2 - Areas limiting new off-licence premises

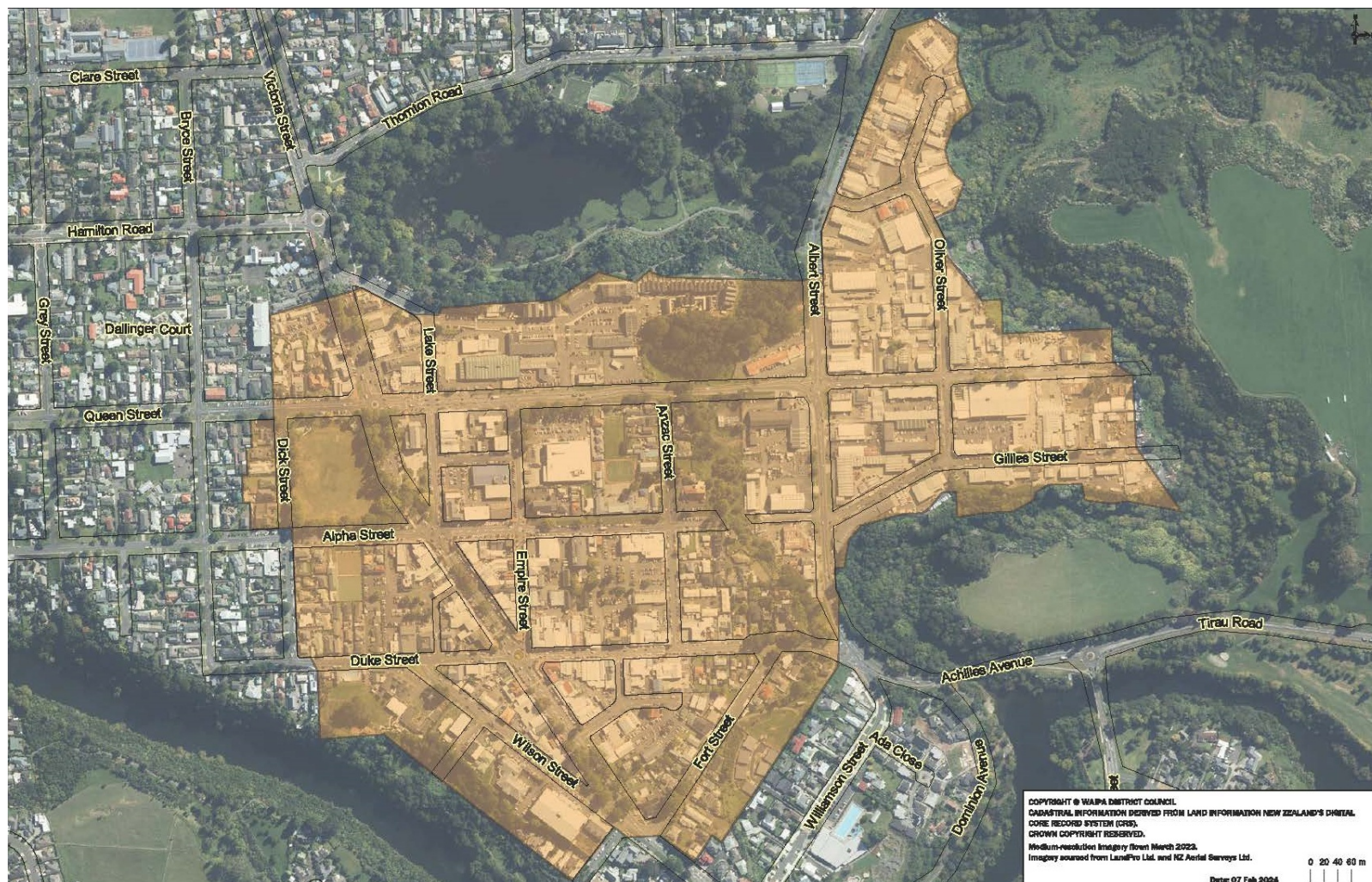
Te Awamutu Central



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 Waipā District Council Local Alcohol Policy

Schedule 2 - Areas limiting new off-licence premises

Cambridge Central



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Waipā District Council Local Alcohol Policy

Schedule 2 - Areas limiting new off-licence premises

Leamington North



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Waipā District Council Local Alcohol Policy

Schedule 2 - Areas limiting new off-licence premises

Leamington Central



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Waipa District Council Local Alcohol Policy

APPENDIX 3

Draft Alcohol Control Bylaw [*ECM Number 11154935*]



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ALCOHOL CONTROL BYLAW 2024

This Bylaw is made under the Local Government Act 2002.

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First adopted:	2008
Revision History	Waipā District Council Public Places Alcohol Control Bylaw 2015 amended the Public Places Liquor Control Bylaw 2008. This bylaw revokes and replaces the Waipa District Council Public Places Alcohol Control Bylaw 2015.
Next review date:	2034
Engagement required:	Section 83 Local Government Act 2002
Document number:	11154935
Associated documents:	Local Alcohol Policy (ECM 5980595)
Policy Owner:	Environmental Health

PART 1 - Preliminary Provisions

1. Title, Commencement and Application

- 1.1. This Bylaw is the Waipa District Council Alcohol Control Bylaw 2024.
- 1.2. This Bylaw comes into force on XX.
- 1.3. The Waipa District Council Public Places Alcohol Control Bylaw 2015 is revoked and replaced by this Bylaw.
- 1.4. This Bylaw applies to specified public places in the district of Waipa District Council.

2. Purpose of the Bylaw

- 2.1. The purpose of this Bylaw is to reduce or prevent alcohol-related crime or disorder in public places by prohibiting, regulating and controlling:
 - a) the consumption of alcohol in specified public places;
 - b) the bringing of alcohol into specified public places; and
 - c) the possession of alcohol in specified public places.

3. Interpretation

- 3.1. In this Bylaw, unless the context otherwise requires:

Term	Definition
Act	means the Local Government Act 2002.
Alcohol	has the meaning given by section 5(1) of the Sale and Supply of Alcohol Act 2012.
Approved or approval	means a written approval, permit or consent provided by Council, including any authorised officer of Council.
Cemetery	means any public place held, set apart, dedicated, or reserved, under the provisions of any statute, exclusively for the burial of the dead, and includes a closed cemetery, as that term is defined in the Burial and Cremation Act 1964.
Council	means Waipa District Council.
Event	means any occasion and gathering, and any series of events. These can include but are not limited to a meeting, parade, concert, fair, celebration, festival, function, sporting or cultural event, commemoration, or other similar occasion, or a series of such occasions.

Term	Definition
Licensed premises	has the meaning given by section 5(1) of the Sale and Supply of Alcohol Act 2012.
Permanent alcohol ban area	has the meaning specified in clauses 5.1 and 5.2 of this Bylaw.
Playground	means a public place with equipment and other facilities principally designed for children's play that is: a) a fenced outdoor area; or b) within 5 metres of any equipment or facilities in an outdoor area.
Public place	has the meaning given by section 147 of the Local Government Act 2002: a) means a place that is open to or is being used by the public, whether free or on payment of a charge, and whether any owner or occupier of the place is lawfully entitled to exclude or eject any person from it; but b) does not include licensed premises.
Skatepark	means an outdoor public place having structures and surfaces principally designed for the purpose of roller-skating and skateboarding.
Temporary alcohol ban area	means an area in a public place as specified by Council resolution under clause 6.1 of the Bylaw during the relevant temporary period.
Temporary period	means such times, days and dates, whether reoccurring or not, as specified by resolution under clause 6.1 of this Bylaw, and may include the period of any Event specified in the resolution, whether reoccurring or not.
Vehicle	has the same meaning given by section 2(1) of the Land Transport Act 1998.

- 3.2. To avoid doubt, compliance with this Bylaw does not remove the need to comply with all other applicable enactments.
- 3.3. Unless the context requires another meaning, a term of expression that is defined in the Act and used in this Bylaw, but not defined, has the meaning given by the Act.
- 3.4. Any guidance or explanatory notes do not form part of this Bylaw, and may be made, amended and revoked without formality.
- 3.5. To avoid doubt, the Legislation Act 2019 applies to this Bylaw.
- 3.6. To avoid doubt, reference to "include" and "including" in this Bylaw means without limitation.

4. Exclusions

4.1. This Bylaw does not prohibit, regulate or control, in the case of alcohol in an unopened container:

- a) the transport of the alcohol from licensed premises next to a public place, if—
 - i) it was lawfully bought on those premises for consumption off those premises; and
 - ii) it is promptly removed from the public place; or
- b) the transport of the alcohol from outside a public place for delivery to licensed premises next to the public place; or
- c) the transport of the alcohol from outside a public place to premises next to a public place by, or for delivery to, a resident of the premises or his or her bona fide visitors; or
- d) the transport of the alcohol from premises next to a public place to a place outside the public place if—
 - i) the transport is undertaken by a resident of those premises; and
 - ii) the alcohol is promptly removed from the public place; or
- e) the transport of alcohol from outside a public place to a building next to the public place if—
 - i) it was lawfully transported to that building for lawful consumption within the building; and
 - ii) it is promptly removed from the public place.

4.2. To avoid doubt, this Bylaw does not apply within the following buildings:

- a) the Cambridge Town Hall, Victoria Street, Cambridge;
- b) the Te Awamutu Events Centre, Selwyn Lane, Te Awamutu;
- c) the Council office building at 101 Bank Street, Te Awamutu; and
- d) the Council office building at 23 Wilson Street, Cambridge.

Guidance Note:

Clause 4.1(a)-(d) replicates section 147(4) of the Local Government Act 2002.

Clause 4.2 makes clear that the Bylaw does not apply inside specified Council-owned buildings.

The prohibitions in this Bylaw only apply to specified public places. This excludes premises which hold a current alcohol licence issued under the Sale and Supply of Alcohol Act 2012, including special licences issued under that Act.

PART 2 - Control of Alcohol

5. Permanent alcohol ban areas

- 5.1. The following areas are permanent alcohol ban areas at all times:
- a) a public place within the areas identified in Schedule 1 to this Bylaw; and
 - b) all skateparks.
- 5.2. The following areas are permanent alcohol ban areas only between the hours of 8pm and 8am:
- a) any playground;
 - b) any cemetery; and
 - c) any public place within the areas identified in Schedule 2 to this Bylaw.

6. Temporary alcohol ban areas

- 6.1. Council may, by resolution, prohibit for a temporary period any or all of the following:
- a) the consumption of alcohol in an area in a public place;
 - b) the bringing of alcohol in an area in a public place;
 - c) the possession of alcohol in an area in a public place.
- 6.2. The Council may, by resolution, amend or revoke a resolution made under clause 6.1 at any time.
- 6.3. Council must give public notice of any resolution made under clause 6.1 or clause 6.2 providing for a temporary alcohol ban area at least 14 days before the temporary alcohol ban area comes into effect.

Guidance Note:

A resolution under clause 6.1 is subject to the requirements of section 147B of the Local Government Act 2002. This requires that before a resolution is made under this Bylaw, Council must be satisfied that:

- a) there is evidence that the area to which the bylaw applies (or will apply by virtue of the resolution) has experienced a high level of crime or disorder that can be shown to have been caused or made worse by alcohol consumption in the area; and
- b) the bylaw, as applied by the resolution:
 - i) is appropriate and proportionate in the light of the evidence; and
 - ii) can be justified as a reasonable limitation on people's rights and freedoms.

Where possible, the Council's public notice and/or information on its website following a resolution under this clause will include a map of the temporary alcohol ban area.

7. Prohibitions

7.1. No person may, without Council approval:

- a) consume any alcohol in a permanent alcohol ban area or temporary alcohol ban area;
- b) bring any alcohol into a permanent alcohol ban area or temporary alcohol ban area; or
- c) possess any alcohol in a permanent alcohol ban area or temporary alcohol ban area.

7.2. The restrictions in clauses 7.1 apply to any person, whether or not they are in a vehicle.

Guidance Note:

Where it is practicable or reasonable to do so, Council will erect signage within permanent alcohol ban areas and temporary alcohol ban areas to provide information to the public about the restrictions. To avoid doubt, the absence of signage does not authorise a breach of this Bylaw. The requirement for signage is subject to any regulations made under section 147C of the Local Government Act 2002.

PART 3 - Approvals, Enforcement and Transitional Provisions

8. Council Approval

8.1. Any person wishing to obtain Council approval for the purposes of this Bylaw must make a written application to Council using any specified form, accompanied by the relevant fee.

Guidance Note:

Contact Council at info@waipadc.govt.nz for information on relevant forms. Council's current fees and charges are specified in Council's website.

8.2. On receipt of an application made under clause 8.1, Council may grant the approval, refuse the approval, or request further information.

8.3. Any approval granted under clause 8.2 may be subject to any reasonable conditions imposed by Council.

8.4. A person granted an approval with conditions imposed under clause 8.3 must comply with those conditions.

8.5. Council may revoke, modify or cancel any Council approval granted under this Bylaw if:

- a) any conditions of the approval are not complied with;
- b) there is a material change in circumstances which requires the Approval, or any conditions imposed on an approval, to be revoked or modified; or

c) the information provided to Council in support of the approval application is found to be incorrect or misleading.

- 8.6. Council must give the approval holder written notice of its intention to revoke, modify or cancel any Council approval or conditions under clause 8.5, which is to include a description of why the revocation or modification is necessary.
- 8.7. After receipt of a notice issued under clause 8.6, and if an approval holder disputes the need for revocation or modification, the approval holder may submit any relevant information to Council within 5 working days, after which the Council will make a final decision.

9. Police powers of search in temporary alcohol ban areas

- 9.1. This clause authorises members of the Police to exercise the power of search under section 169(2)(a) of the Act, for the purposes of section 170(2) of the Act, in relation to any area which has been declared a temporary alcohol ban area by resolution of the Council under clause 6.
- 9.2. Subject to clause 9.3 below, the powers of search can be exercised by the Police immediately and without further notice.
- 9.3. Clause 9.1 only applies if the resolution declaring a temporary alcohol ban provides that clause 9.1 of this bylaw will apply.

Guidance Note:

Council must give public notice pursuant to section 170(3) of the Act before the Police may exercise their powers of search under this clause in relation to a temporary alcohol ban area resolution.

The powers of search given to the Police in section 169 of the Act also apply to the prohibitions in clause 7 of this Bylaw.

10. Offence

- 10.1. Any person who breaches this Bylaw commits an offence.

Guidance Note:

Any person who breaches this Bylaw commits an infringement offence under section 239A of the Act and may be served with an infringement notice under section 245 of the Act and be liable to pay an infringement fee.

Under the Local Government (Alcohol Ban Breaches) Regulations 2013, an infringement fee of \$250 is payable for a breach of this Bylaw.

Sections 169 and 170 of the Local Government Act 2002 provide the Police with a range of enforcement powers relating to breaches of this Bylaw. This includes the powers of search, seizure and arrest.

11. Transitional Provisions

- 11.1. Any approval which originated under or was continued by Waipa District Council Public Places Alcohol Control Bylaw 2015 revoked in clause 1.3 that is continuing at the commencement of this Bylaw, continues to have full force and effect for the purposes of this Bylaw, but is subject to the application of any relevant clauses in this Bylaw.
- 11.2. The revocation of the Waipa District Council Public Places Alcohol Control Bylaw 2015 under clause 1.3 does not prevent any legal proceedings, criminal or civil, being taken to enforce that Bylaw and such proceedings continue to be dealt with and completed as if the Bylaw had not been revoked.
- 11.3. Any application for an approval made under the Waipa District Council Public Places Alcohol Control Bylaw 2015 revoked under clause 1.3 for which an approval has not been granted at the time of this Bylaw coming into force, is deemed to be an application made under clause 8.1.

This Bylaw was made by the **WAIPA DISTRICT COUNCIL**, having used the special consultative procedure under the Local Government Act 2002, at a meeting of the Council held on the XXX.

IN WITNESS WHEREOF the Common Seal of the **WAIPA DISTRICT COUNCIL** was hereunto affixed pursuant to a resolution of Council passed on the XXXX in the presence of:

..... Mayor
[Name]

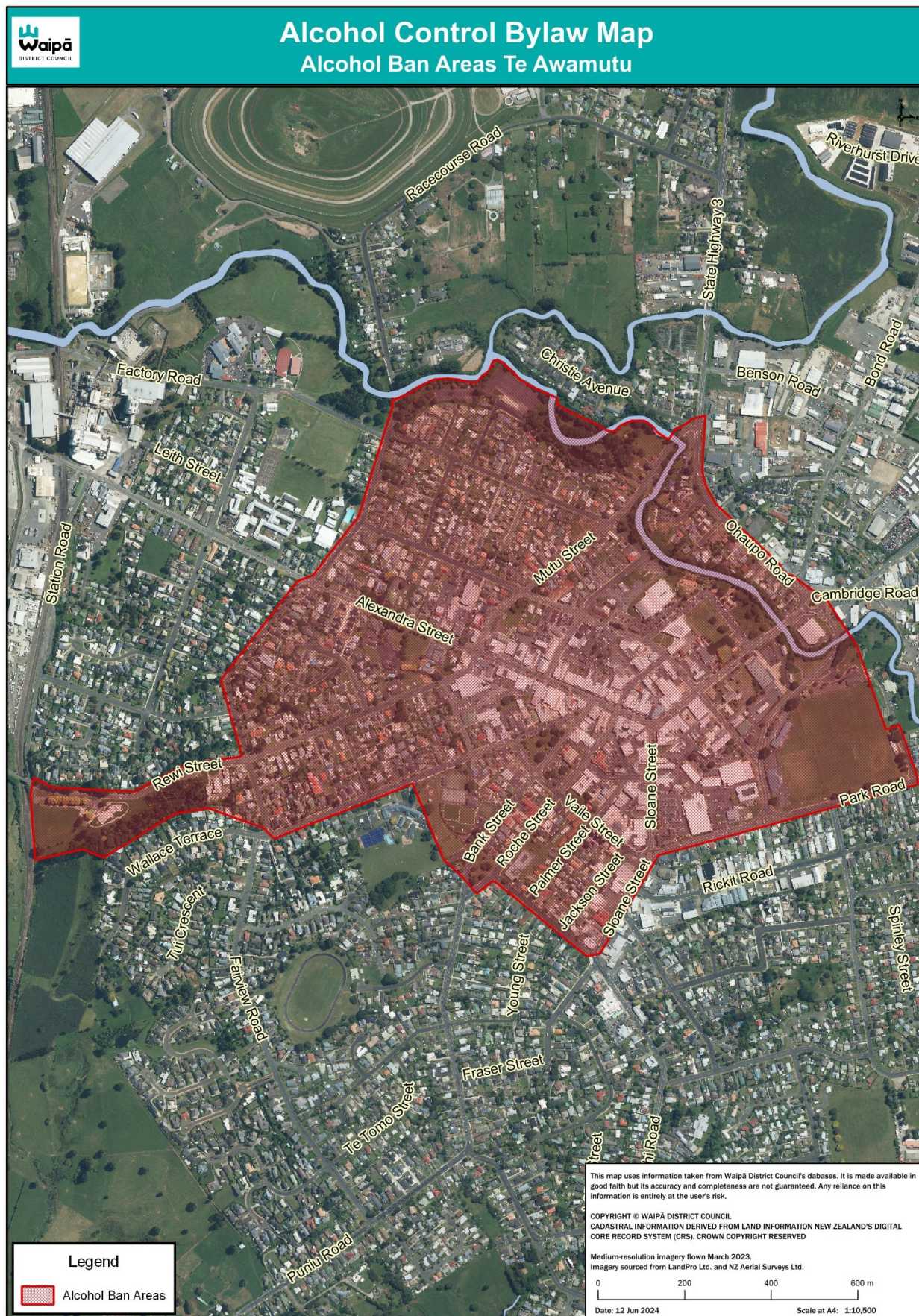
..... Chief Executive
[Name]

SCHEDULE 1 – PERMANENT ALCOHOL BAN AREAS – AT ALL TIMES

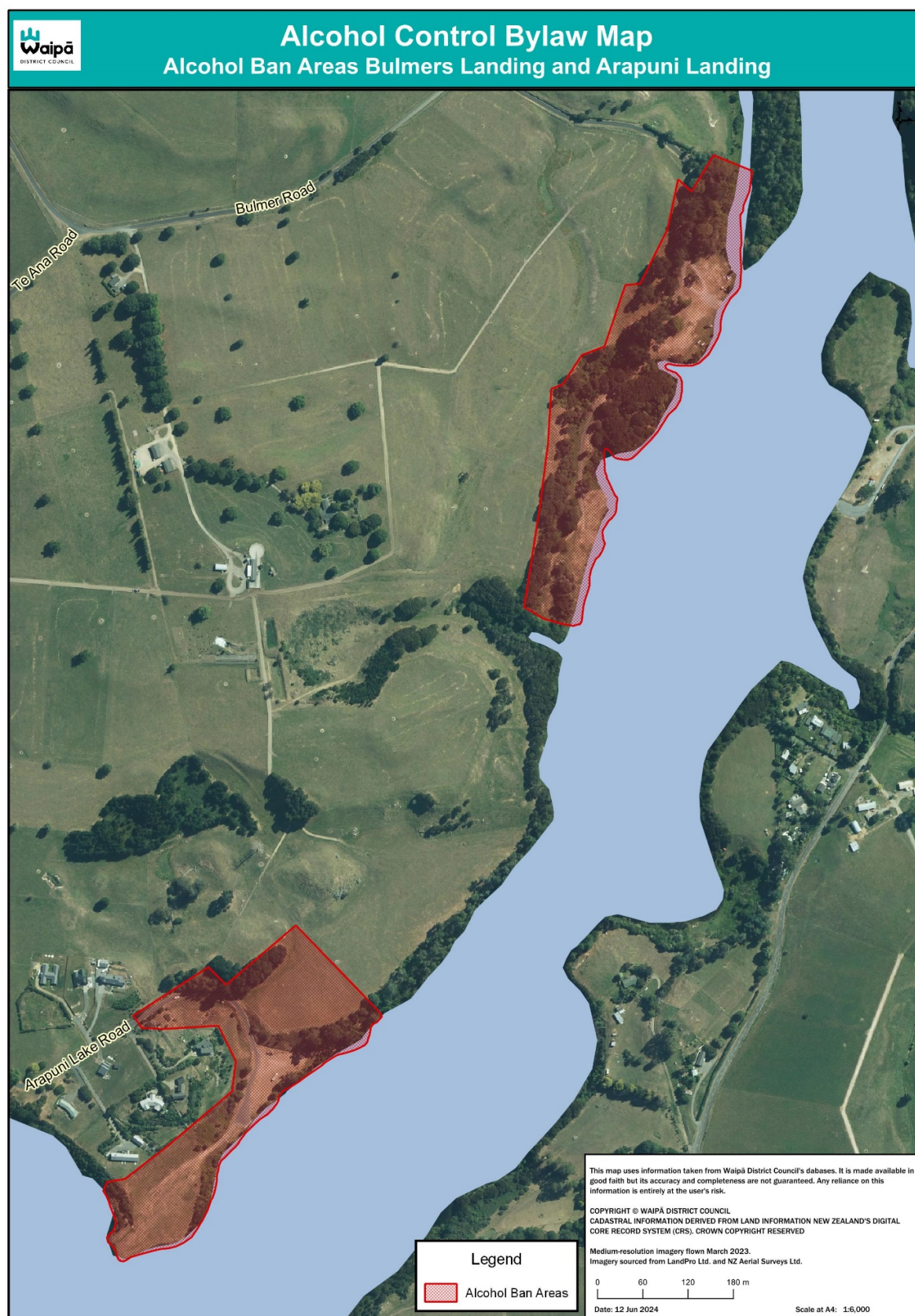








SCHEDULE 2 – PERMANENT ALCOHOL BAN AREAS – ONLY BETWEEN THE HOURS OF 8:00PM AND 8:00AM



APPENDIX 4

Draft Alcohol Fees Bylaw *[ECM Number 11154945]*



DRAFT

ALCOHOL FEES BYLAW 2024

This Bylaw is made pursuant to the Sale and Supply of Alcohol Act 2012, the Sale and Supply of Alcohol (Fee-setting Bylaws) Order 2013, and the Local Government Act 2002.

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First adopted:	2024
Review process:	In line with the Schedule of Fees and Charges review or as necessary
Engagement required:	Section 405 Sale and Supply of Alcohol Act 2012 and Local Government Act 2002
Document number:	11154945
Associated documents:	Local Alcohol Policy (ECM 5980595)
Policy Owner:	Environmental Services

PART 1 - Preliminary Provisions

1. Title, Commencement and Application

- 1.1. This Bylaw is the Alcohol Fees Bylaw 2024.
- 1.2. This Bylaw comes into force on XX.
- 1.3. This Bylaw applies to the district of Waipa District Council.

2. Purpose of the Bylaw

- 2.1. The purpose of this Bylaw is to set fees for any matter for which fees payable to territorial authorities are prescribed in the Sale and Supply of Alcohol (Fees) Regulations 2013.

3. Interpretation

- 3.1. In this Bylaw, unless the context otherwise requires:

Term	Definition
Act	means the Sale and Supply of Alcohol Act 2012.
Application fee	has the meaning given by the Sale and Supply of Alcohol (Fees) Regulations 2013 and means the fee for any of the following: (a) an application for an on-licence, off-licence, or club licence: (b) an application to vary an on-licence, off-licence, or club licence: (c) an application to renew an on-licence, off-licence, or club licence
Council	means Waipa District Council.
25/26 year	means the period commencing 1 July 2025 and ending 30 June 2026.
Subsequent years	means the period commencing 1 July 2026 onwards.

- 3.2. Unless the context requires another meaning, a term of expression that is defined in the Act and used in this Bylaw, but not defined, has the meaning given by the Act.
- 3.3. Any guidance or explanatory notes do not form part of this Bylaw, and may be made, amended and revoked without formality.
- 3.4. To avoid doubt, the Legislation Act 2019 applies to this Bylaw.

PART 2 - Fees

4. Fees payable for premises in each fees category

4.1. The application fees and annual fees are:

Period fee applies:	25/26 year		Subsequent years	
Fees category for premises	Application fee	Annual fee	Application fee	Annual fee
Very low	\$432.00	\$189.00	\$544.00	\$238.00
Low	\$715.50	\$459.00	\$901.00	\$578.00
Medium	\$958.50	\$742.50	\$1207.00	\$935.00
High	\$1201.50	\$1215.00	\$1513.00	\$1530.00
Very high	\$ 1417.5	\$1687.50	\$1785.00	\$2125.00

Guidance Note:

See regulations 5 and 6 of the Sale and Supply of Alcohol (Fees) Regulations 2013 for information on how the Council must assign the cost/risk rating and fees category to any premises for which an on-licence, off licence or club licence (including renewals) is held or sought.

5. Fees payable for special licences

5.1. The fee payable to the Council for a special licence is as follows:

Period fee applies:	25/26 year	Subsequent years
Special Licence class	Fee	Fee
Class 1	\$675.00	\$850.00
Class 2	\$243.00	\$306.00
Class 3	\$74.25	\$93.50

Guidance Note:

Regulation 9 of the Sale and Supply of Alcohol (Fees) Regulations 2013 sets out how Council must assign classes for special licenses. Under this provision, every special licence issued by a territorial authority must be one of the following classes:

Special licence class

Issued in respect of:

Class 1

1 large event;
more than 3 medium events;
more than 12 small events.

Class 2

3 to 12 small events;
1 to 3 medium events.

Class 3 - 1 or 2 small events.

For this purpose:

Large event means an event that the territorial authority believes on reasonable grounds will have patronage of more than 400 people.

Medium event means an event that the territorial authority believes on reasonable grounds will have patronage of between 100 and 400 people.

Small event means an event that the territorial authority believes on reasonable grounds will have patronage of fewer than 100 people.

6. Temporary Authority

6.1. The fee payable under section 136(2) of the Act for a temporary authority to carry on the sale and supply of alcohol is:

- a) for the 25/26 year, \$348.30; and
- b) for subsequent years, \$438.60.

7. Temporary Licence

7.1. A person applying under section 74 of the Act to sell alcohol pursuant to a licence from premises other than premises to which the licence relates must pay an application fee to the Council of:

- a) for the 25/26 year, \$348.30; and
- b) for subsequent years, \$438.60.

8. Permanent Club Charter

8.1. The holder of a permanent club charter (as described in section 414 of the Act) must, if the club's premises are located in the district of the Council, pay an annual fee to the Council of:

- a) for the 25/26 year, \$742.50; and
- b) for subsequent years, \$935.00.

9. Extract from Register

9.1. The fee payable to a licensing committee under section 66(2) of the Act for an extract from a register is:

- a) for the 25/26 year, \$67.50; and

b) for subsequent years, \$85.00.

10. Goods and Services Tax Exclusive

10.1. The fees prescribed by this Bylaw are exclusive of goods and services tax.

DRAFT

This Bylaw was made by the **WAIPA DISTRICT COUNCIL**, under the Sale and Supply of Alcohol Act 2012, the Sale and Supply of Alcohol (Fee-setting Bylaws) Order 2013, and the Local Government Act 2002 at a meeting of the Council held on the XXX.

IN WITNESS WHEREOF the Common Seal of the **WAIPA DISTRICT COUNCIL** was hereunto affixed pursuant to a resolution of Council passed on the XXXX in the presence of:

..... Mayor

..... Chief Executive

DRAFT

APPENDIX 5

Alcohol Control Bylaw s155 Determination Report - 5 June 2024 [*ECM Number 11220348*]

COMMITTEE REPORT



To: The Chairperson and Members of the Strategic Planning and Policy Committee

From: Strategic Policy Advisor

Subject: **Alcohol Control Bylaw Determination Report**

Meeting Date: 5 June 2024

1 PURPOSE - TAKE

The purpose of this report is to determine whether the Proposed Draft Waipā District Council Alcohol Control Bylaw (Proposed Draft Bylaw) meets the bylaw making requirements of Sections 147A and 155 of the Local Government Act 2002.

2 EXECUTIVE SUMMARY – WHAKARĀPOPOTOTANGA MATUA

As part of the Public Places Alcohol Control Bylaw 2015 review, an assessment against the alcohol control bylaw-making requirements of the Local Government Act 2002 (LGA) has been undertaken. The assessment can be done in four steps. Step 1 was completed in November 2023 when the Strategic Planning and Policy Committee determined that a bylaw is the most appropriate way to address the perceived problem relating to the control of alcohol in public places. This report assesses the remaining three steps and concludes that, subject to the outcome of consultation:

- The current form of the Proposed Draft Bylaw is the most appropriate form of bylaw.
- The Proposed Draft Bylaw does not conflict with, nor give rise to any other implications under the New Zealand Bill of Rights Act 1990.
- The Proposed Draft Bylaw is intended to replace an expiring bylaw and is to the same effect (or to substantially the same effect) as the expiring bylaw and satisfactorily meets the requirements of section 147A of the LGA.

It is recommended that Strategic Planning and Policy Committee determines that the Proposed Draft Bylaw meets the bylaw making requirements of Sections 147A and 155 of the LGA. Staff intend to seek the Committee's approval to consult on the Proposed Draft Bylaw in August.

3 RECOMMENDATION – TŪTOHU Ā-KAIMAHI

That the Strategic Planning and Policy Committee

- a) **Receives** the report of Mieke Heyns - Strategic Policy Advisor titled Alcohol Control Bylaw Determination Report [ECM Number 11220348];
- b) **Notes** that staff have prepared the draft Alcohol Control Bylaw attached as Appendix 2 to this report ("Proposed Draft Bylaw"), intended to replace the current Public Places Alcohol Control Bylaw 2015 ("Expiring Bylaw");
- c) **Notes** that staff intend to seek the Committee's approval to consult on the Proposed Draft Bylaw in August 2024;
- d) **Determines**, pursuant to sections 155 and 147A of the Local Government Act 2002 that, subject to the outcome of consultation:
 - i) The Proposed Draft Bylaw is the most appropriate form of bylaw;
 - ii) The Proposed Draft Bylaw gives rise to implications under the New Zealand Bill of Rights Act 1990 but is not inconsistent with that Act;
 - iii) The Proposed Draft Bylaw has substantially the same effect as the Expiring Bylaw;
 - iv) The Proposed Draft Bylaw can be justified as a reasonable limitation on people's rights and freedoms;
 - v) a high level of crime or disorder caused or made worse by alcohol consumption is likely to arise in the area to which the Proposed Draft Bylaw is intended to apply if the Proposed Bylaw is not made; and
 - vi) The Proposed Draft Bylaw is appropriate and proportionate in the light of that likely crime or disorder.

4 BACKGROUND – KŌRERO WHAIMĀRAMA

The Public Places Alcohol Control Bylaw 2015 (attached as Appendix 4) is due for its 10-yearly review by 2025 under section 159 of the Local Government Act 2002 (LGA). The Bylaw review has been brought forward to align it with the Local Alcohol Policy review and Alcohol Fees Bylaw introduction.

When the Council is reviewing a current alcohol-control bylaw, it must complete an analysis under sections 147A and 155 of the LGA. There are four steps in this process:

- Step 1 - determine what problems exist and whether or not a bylaw is the most appropriate way of addressing that problem under section 155(1) of the LGA.
- Step 2 - determine whether the proposed bylaw is the most appropriate form of bylaw under section 155(2)(a) of the LGA.
- Step 3 - determine whether the proposed bylaw gives rise to any implications under and is not inconsistent with the New Zealand Bill of Rights Act 1990 (NZBORA) under section 155(2)(b) of the LGA.

- Step 4 – where a proposed alcohol-control bylaw is intended to replace an existing alcohol-control bylaw, determine that the proposed bylaw meets the criteria of section 147A(3), which is that the proposed bylaw is to the same effect (or to substantially the same effect) as the expiring bylaw and
 - (a) Can be justified as a reasonable limitation on people’s rights and freedoms; and
 - (b) A high level of crime or disorder (being crime or disorder caused or made worse by alcohol consumption in the area concerned) is likely to arise in the area to which the bylaw is intended to apply if the bylaw is not made; and
 - (c) the bylaw is appropriate and proportionate in the light of that likely crime or disorder.

On 29 November 2023 Council completed Step 1 by determining that a bylaw is the most appropriate way to address the perceived problem relating to the control of alcohol in public places in the Waipā District, pursuant to sections 155(1) and 160(1) of the LGA.

The purpose of this report is to analyse Steps 2, 3 and 4.

STEP 2 - DETERMINE WHETHER THE PROPOSED DRAFT BYLAW IS THE MOST APPROPRIATE FORM OF BYLAW UNDER SECTION 155(2)(A) OF THE LGA

Staff have developed the Proposed Draft Bylaw in Appendix 2 to this Report after taking into account alcohol related crime data provided by the New Zealand Police and workshop feedback from Cambridge Community Board, Te Awamutu and Kihikihi Community Board, Pirongia Ward Committee and the Mayor and Councillors.

When adopted, the Proposed Draft Bylaw is intended to replace the existing Public Places Alcohol Control Bylaw 2015.

The Bylaw aims to reduce or prevent incidents of crime or disorder related to alcohol consumption by controlling where and when people can possess or consume alcohol in public places. The Bylaw does this by creating a number of “Permanent Alcohol Ban Areas”, as well as enabling Council to make alcohol ban areas on a temporary basis.

Any alcohol ban under the Bylaw only applies to ‘public places’ which are defined in the LGA as “a place that is open to or used by the public including places where a fee or charge applies, such as, a parking area”. The restrictions within an alcohol ban area also do not apply to areas or activities which are covered by a licence issued under the Sale and Supply of Alcohol Act.

The changes proposed in the Proposed Draft Bylaw will:

- a) Update the drafting style of the Bylaw to Council’s current style.
- b) Extend the prior public notification for temporary alcohol bans from 7 to 14 days.
- c) Expand the Permanent Alcohol Ban Areas to the following:

- i) all public Skateparks - due to safety issues of glass on concrete surfaces and anecdotal evidence from Staff on alcohol related activities, litter and vandalism.
- ii) Arapuni landing from 8pm - 8am - due to evidence of alcohol related damage and harmful activity.
- iii) Bulmers landing from 8pm - 8am - due to evidence of alcohol related damage and harmful activity.
- iv) all public Playgrounds from 8pm - 8am due to evidence of alcohol related damage and harmful activity during this time.
- v) all public cemeteries from 8pm - 8am due to evidence of alcohol related damage and harmful activity during this time.
- vi) adjusted the boundaries of the existing Alcohol Ban Areas in the CBD to better cover areas where alcohol consumption is likely to occur, which best allows for a focus on crime and disorder in areas where alcohol is readily available for purchase or where there are premises that have alcohol available for consumption.

Staff consider that, subject to the outcome of public consultation, the Proposed Draft Bylaw is the most appropriate form of Bylaw to address alcohol-related harm.

STEP 3 - DETERMINE WHETHER THE BYLAW GIVES RISE TO ANY IMPLICATIONS UNDER THE NEW ZEALAND BILL OF RIGHTS ACT 1990 UNDER SECTION 155(2)(B) OF THE LGA

An assessment of the Proposed Draft Bylaw against the NZBORA is included in Appendix 1.

Following this assessment, staff consider that the Proposed Draft Bylaw gives rise to implications under the NZBORA but is not inconsistent with that Act.

STEP 4 – DETERMINE THAT THE PROPOSED DRAFT BYLAW MEETS THE CRITERIA OF SECTION 147A(3)

Before making under section 147 of the LGA a bylaw that is intended to replace an expiring bylaw and is to the same effect (or to substantially the same effect) as the expiring bylaw, a territorial authority must be satisfied that—

- (a) The bylaw can be justified as a reasonable limitation on people's rights and freedoms.**
 - The Proposed Draft Bylaw gives rise to implications under, but does not conflict with, the NZBORA. See Step 3 and Appendix 1.
 - The purpose of the Proposed Draft Bylaw is to regulate and control alcohol in public places to keep those public places free of alcohol-related nuisance and potential harm for the enjoyment of all.

- Police have internal processes to use discretion when enforcing the restrictions of an alcohol control bylaw ensuring that limitations on people's rights and freedoms are justified.
- (b) **A high level of crime or disorder (being crime or disorder caused or made worse by alcohol consumption in the area concerned) is likely to arise in the area to which the bylaw is intended to apply if the bylaw is not made.**

Evidence provided in the report to the Strategic Planning and Policy Committee titled *Determination Report for the Review of the Public Places Alcohol Control Bylaw 2015* (ECM number 11105251) on 29 November 2023 included the following points:

- "Instances of violence and disorder are commonly associated with consumption of alcohol, with Police National Headquarters estimating that 75 per cent of crime between 21:00 and 6:00 is alcohol related."
 - "There is some anecdotal evidence of alcohol consumption and possession in the CBDs of Te Awamutu, Cambridge and Kihikihi leading to anti-social behaviour, rubbish and broken glass being left behind, and people feeling unsafe (either real or perceived). These instances are not limited to but appear to be more frequent in areas with night-time foot traffic, such as between bars and late-night eateries, and in parks during the day."
 - "Anecdotal evidence suggests that parks, reserves, playgrounds and skateparks are a favoured location for enjoying alcoholic drinks."
 - "The Bylaw has been in place since 2008, with a Police report for the 2015 Bylaw review saying the *"statistical evidence indicates strongly that the liquor ban tool available to Police has contributed to reducing crime, specifically public place violence and disorder; which alcohol typically contributes to. Removing this preventative tool would almost certainly lead to increased crime, in the form of public place violence and disorder in the public areas currently governed by the liquor ban, predictably back to the high pre-ban/ enforcement levels experienced in 2008-2010."*
- (c) **The bylaw is appropriate and proportionate in the light of that likely crime or disorder.**

Council has the power to make a bylaw for alcohol control purposes under section 147 of the LGA. This allows Council to prohibit or otherwise regulate or control the consumption of alcohol in public places, the bringing of alcohol into public places, and the possession of alcohol in public places. The Proposed Draft Bylaw only extends to these areas and times of control in order to allow Police to have the powers to negate alcohol-related or alcohol fuelled public nuisance or harm.

The Proposed Draft Bylaw is intended to replace an expiring bylaw and is to the same effect (or to substantially the same effect) as the expiring bylaw and satisfactorily meets the requirements of section 147A(3) of the LGA.

5 SIGNIFICANCE & ENGAGEMENT – KAUPAPA WHAI MANA ME NGĀ MATAPAKINGA

Staff have considered the key considerations under the Significance and Engagement Policy, in particular sections 7 and 8 and have assessed that the matter(s) in this report have a high level of significance. The review of any council bylaw is a statutory process, required within 10 years of any previous review, and must utilise the Special Consultative Procedure (sections 83 and 86 of the LGA 2002).

6 OPTIONS – NGĀ KŌWHIRINGA

Option	Advantages	Disadvantages
Option 1: Do not agree with the determinations	A more thorough review is possible if new evidence comes to light	- Staff resources required - Additional information might not be available - Review process is delayed - Unnecessary, given that staff consider current review meets legal obligations.
Option 2: Agree with the determinations	- Council meets its requirements for making bylaws under the LGA - The bylaw review process continues - No staff or other Council resources required	None
Option 3: Agree with the determinations with amendments	A more thorough review is possible if new evidence comes to light	- Some additional Staff resources required - Additional information might not be available - Review process is delayed - Unnecessary, given that staff consider current review meets legal obligations.

The recommended option is Option 2. The reason for this is that it meets the requirements for making bylaws under sections 147A(3), 155(1), 155(2)(a), and 155(2)(b) of the LGA.

7 OTHER CONSIDERATIONS – HEI WHAIWHAKAARO

Council’s Vision and Strategic Priorities

The Proposed Draft Bylaw is consistent with Council’s community outcome to be ‘Socially resilient – Waipā is a great place to live, work, play and invest; we invest in hauora (health and wellbeing); Waipā provides a high quality of life for current and future generations.’

By providing enforceable rules for managing alcohol in public places, the Proposed Draft Bylaw aims to improve the safety and welfare of the community and property in alcohol control areas.

The Proposed Draft Bylaw aligns with two strategic priorities: creating vibrant communities; and effectively planning and providing for growing communities.

Legal and Policy Considerations – Whaiwhakaaro ā-Ture

Staff confirm that the recommended option 2 complies with Council’s legal and policy requirements under the Local Government Act 2002. It is noted that staff intend to seek the Committee’s approval to consult on the Proposed Draft Bylaw in August 2024 pursuant to sections 83, 86 and 156 of the LGA.

Financial Considerations – Whaiwhakaaro ā-Pūtea

The total costs to complete this review is budgeted for in the 2024/25 LTP year when most of the costs will be incurred.

Risks - Tūraru

The following significant risks have been identified and will be treated as set out below:

Risk Description	Current Residual Risk Rating	Current Treatments	Target Residual Risk Rating – if different from current rating	Planned Additional Treatments
Transparent decision making	Medium	Follow existing Council processes	Low	Continued monitoring
Ineffective relationship with our community/ partners/ stakeholders	High	Follow existing Council processes, and new appropriate processes when necessary	Medium	Continued monitoring
Combining review process with Local Alcohol Policy	High Opportunity	Follow joint project management plan	High Opportunity	Continued monitoring

Iwi and Mana Whenua Considerations - Whaiwhakaaro ki ngā Iwi me ngā Mana Whenua

There are no known considerations specific to Iwi and Mana Whenua. However, as part of the review, any engagement with Iwi and Mana Whenua will be an opportunity to ensure any Bylaw concerns can be raised and addressed.

Climate Change – Hurihanga Āhuarangi

No implications for climate change action have been identified.

8 NEXT ACTIONS

Action	Responsibility	By When
Combined Statement of Proposal and Proposed Draft Alcohol Control Bylaw, Proposed Draft Local Alcohol Policy and Proposed Draft Alcohol Fees Bylaw presented to the Strategic Planning and Policy Committee for approval	Strategy and Communications	August

9 APPENDICES - ĀPITITANGA

No:	Appendix Title
1	New Zealand Bill of Rights Act 1990 Assessment
2	Proposed Draft Alcohol Control Bylaw (Proposed Draft Bylaw) [ECM number 11154935]
3	Proposed Draft Alcohol Control Bylaw (Tracked Changes Version) [ECM number 11167048]
4	Public Places Alcohol Control Bylaw 2015 (Expiring Bylaw) [ECM number 5710882]


Prepared by Mieke Heyns
STRATEGIC POLICY ADVISOR


Reviewed by Diana Aquilina
LEGAL COUNSEL


Reviewed by Melissa Russo
MANAGER STRATEGY


Reviewed by Karl Tutty
MANAGER COMPLIANCE


Approved by Wayne Allan
GROUP MANAGER DISTRICT GROWTH AND REGULATORY SERVICES

APPENDIX 1

New Zealand Bill of Rights Act 1990 Assessment

Determination of any implications under the New Zealand Bill of Rights Act 1990 for the Proposed Draft Waipa District Council Alcohol Control Bylaw.

1. Introduction

Under section 155(2)(b) of the Local Government Act 2002 (LGA) Council is required to determine, prior to making a bylaw, whether the proposed bylaw gives rises to “any implications” under the New Zealand Bill of Rights Act 1990 (NZBORA). Section 155(3) of the LGA further provides that no bylaw may be made which is inconsistent with the NZBORA.

The NZBORA is an Act—

- (a) To affirm, protect, and promote human rights and fundamental freedoms in New Zealand; and
- (b) To affirm New Zealand's commitment to the International Covenant on Civil and Political Rights.

Staff have reviewed the Proposed Draft Alcohol Control Bylaw in light of the rights and freedoms affirmed by the NZBORA.

2. Assessment of issues

New Zealand Bill of Rights Act		Comment with respect to the Proposed Draft Alcohol Control Bylaw
Section	Wording	
Part 2 Civil and political rights -		
<i>Life and security of the person</i>		
Section 8 - Right not to be deprived of life		No issues.
Section 9 - Right not to be subjected to torture or cruel treatment		No issues.
Section 10 - Right not to be subjected to medical or scientific experimentation		No issues.
Section 11 - Right to refuse to undergo medical treatment		No issues.
<i>Democratic and civil rights</i>		
Section 12 - Electoral rights		No issues.

New Zealand Bill of Rights Act		Comment with respect to the Proposed Draft Alcohol Control Bylaw
Section	Wording	
Section 13 - Freedom of thought, conscience, and religion		No issues.
Section 14 - Freedom of thought, conscience, and religion		No issues.
Section 15 - Manifestation of religion and belief		No issues.
Section 16 - Freedom of peaceful assembly	States that, <i>"Everyone has the right to freedom of peaceful assembly."</i>	No issues.
Section 17 - Freedom of association		No issues.
Section 18 - Freedom of movement	States that, <i>"Everyone lawfully in New Zealand has the right to freedom of movement and residence in New Zealand."</i>	This right is engaged by the Proposed Draft Bylaw. This is because it restricts the ability of people to move around with alcohol. However, the Proposed Draft Bylaw does not completely prohibit people with alcohol from being in, or moving about in, all public places – only those places and times identified as necessary to reduce alcohol-related harm and disorder. Therefore, it provides demonstrably justifiable limits in a free and democratic society and is therefore consistent with the NZBORA.
Non-discrimination and minority rights		
Section 19 - Freedom from discrimination	States: (1) <i>Everyone has the right to freedom from discrimination on the grounds of discrimination in the Human Rights Act 1993.</i> (2) <i>Measures taken in good faith for the purpose of assisting or advancing persons or groups of persons disadvantaged because of discrimination that is unlawful by virtue of Part 2 of the Human Rights Act 1993 do not constitute discrimination.</i>	No issues.
Section 20 - Rights of minorities		No issues.
Search, arrest, and detention		
Section 21 - Unreasonable search and seizure		This right may be regarded as affected. This is because pursuant to section 169 of the LGA, the

New Zealand Bill of Rights Act		Comment with respect to the Proposed Draft Alcohol Control Bylaw
Section	Wording	
		New Zealand Police have the powers of arrest, search, and seizure in relation to alcohol bans. However, this is a matter of control of the New Zealand Police who also have a duty to comply with section 21 of the NZBORA. Therefore, the Bylaw isn't inconsistent with that right.
Section 22 - Liberty of the person		No issues.
Section 23 - Rights of persons arrested or detained	States: (1) <i>Everyone who is arrested or who is detained under any enactment—</i> (a) <i>shall be informed at the time of the arrest or detention of the reason for it; and</i> (b) <i>shall have the right to consult and instruct a lawyer without delay and to be informed of that right; and</i> (c) <i>shall have the right to have the validity of the arrest or detention determined without delay by way of habeas corpus and to be released if the arrest or detention is not lawful.</i> (2) <i>Everyone who is arrested for an offence has the right to be charged promptly or to be released.</i> (3) <i>Everyone who is arrested for an offence and is not released shall be brought as soon as possible before a court or competent tribunal.</i>	No issues.

New Zealand Bill of Rights Act		Comment with respect to the Proposed Draft Alcohol Control Bylaw
Section	Wording	
	(4) <i>Everyone who is—</i> <i>(a) arrested; or</i> <i>(b) detained under any enactment—</i> <i>for any offence or suspected offence shall have the right to refrain from making any statement and to be informed of that right.</i> (5) <i>Everyone deprived of liberty shall be treated with humanity and with respect for the inherent dignity of the person.</i>	
Section 24 - Rights of persons charged		No issues.
Section 25 - Minimum standards of criminal procedure		No issues.
Section 26 - Retroactive penalties and double jeopardy		No issues.
Section 27 - Right to justice	States: (1) <i>Every person has the right to the observance of the principles of natural justice by any ... public authority which has the power to make a determination in respect of that person's rights, obligations, or interests protected or recognised by law.</i> (2) <i>Every person whose rights, obligations, or interests protected or recognised by law have been affected by a determination of any ... public authority has the right to apply, in accordance with law, for judicial review of that determination".</i>	No issues.

New Zealand Bill of Rights Act		Comment with respect to the Proposed Draft Alcohol Control Bylaw
Section	Wording	
Part 3 Miscellaneous provisions		
Section 28 - Other rights and freedoms not affected		No issues.
Section 29 - Application to legal persons	States that the NZBORA will <i>"apply, so far as practicable, for the benefit of all legal persons as well as for the benefit of all natural persons"</i> .	No issues.

3. Conclusion

The Proposed Draft Waipa District Council Alcohol Control Bylaw has been examined against the provisions of the New Zealand Bill of Rights Act 1990. It has been determined that in its present form, the Proposed Draft Bylaw raises implications under but does not conflict with the NZBORA.

APPENDIX 2

Proposed Draft Alcohol Control Bylaw (Proposed Draft Bylaw) [ECM number 11154935]



PROPOSED DRAFT

ALCOHOL CONTROL BYLAW 2024

This Bylaw is made under the Local Government Act 2002.

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SCHEDULE 2 – PERMANENT ALCOHOL BAN AREAS – ONLY BETWEEN THE HOURS OF 8:00PM AND 8:00AM..... 14

First adopted:	2008
Revision History	Waipā District Council Public Places Alcohol Control Bylaw 2015 amended the Public Places Liquor Control Bylaw 2008. This bylaw revokes and replaces the Waipa District Council Public Places Alcohol Control Bylaw 2015.
Next review date:	2034
Engagement required:	Section 83 Local Government Act 2002
Document number:	11154935
Associated documents:	Local Alcohol Policy (ECM 5980595)
Policy Owner:	Environmental Health

PART 1 - Preliminary Provisions

1. Title, Commencement and Application

- 1.1. This Bylaw is the Waipa District Council Alcohol Control Bylaw 2024.
- 1.2. This Bylaw comes into force on XX.
- 1.3. The Waipa District Council Public Places Alcohol Control Bylaw 2015 is revoked and replaced by this Bylaw.
- 1.4. This Bylaw applies to specified public places in the district of Waipa District Council.

2. Purpose of the Bylaw

- 2.1. The purpose of this Bylaw is to reduce or prevent alcohol-related crime or disorder in public places by prohibiting, regulating and controlling:
 - a) the consumption of alcohol in specified public places;
 - b) the bringing of alcohol into specified public places; and
 - c) the possession of alcohol in specified public places.

3. Interpretation

- 3.1. In this Bylaw, unless the context otherwise requires:

Term	Definition
Act	means the Local Government Act 2002.
Alcohol	has the meaning given by section 5(1) of the Sale and Supply of Alcohol Act 2012.
Approved or approval	means a written approval, permit or consent provided by Council, including any authorised officer of Council.
Cemetery	means any public place held, set apart, dedicated, or reserved, under the provisions of any statute, exclusively for the burial of the dead, and includes a closed cemetery, as that term is defined in the Burial and Cremation Act 1964.
Council	means Waipa District Council.
Event	means any occasion and gathering, and any series of events. These can include but are not limited to a meeting, parade, concert, fair, celebration, festival, function, sporting or cultural event, commemoration, or other similar occasion, or a series of such occasions.

Term	Definition
Licensed premises	has the meaning given by section 5(1) of the Sale and Supply of Alcohol Act 2012.
Permanent alcohol ban area	has the meaning specified in clauses 5.1 and 5.2 of this Bylaw.
Playground	means a public place with equipment and other facilities principally designed for children's play that is: a) a fenced outdoor area; or b) within 5 metres of any equipment or facilities in an outdoor area.
Public place	has the meaning given by section 147 of the Local Government Act 2002: a) means a place that is open to or is being used by the public, whether free or on payment of a charge, and whether any owner or occupier of the place is lawfully entitled to exclude or eject any person from it; but b) does not include licensed premises.
Skatepark	means an outdoor public place having structures and surfaces principally designed for the purpose of roller-skating and skateboarding.
Temporary alcohol ban area	means an area in a public place as specified by Council resolution under clause 6.1 of the Bylaw during the relevant temporary period.
Temporary period	means such times, days and dates, whether reoccurring or not, as specified by resolution under clause 6.1 of this Bylaw, and may include the period of any Event specified in the resolution, whether reoccurring or not.
Vehicle	has the same meaning given by section 2(1) of the Land Transport Act 1998.

- 3.2. To avoid doubt, compliance with this Bylaw does not remove the need to comply with all other applicable enactments.
- 3.3. Unless the context requires another meaning, a term of expression that is defined in the Act and used in this Bylaw, but not defined, has the meaning given by the Act.
- 3.4. Any guidance or explanatory notes do not form part of this Bylaw, and may be made, amended and revoked without formality.
- 3.5. To avoid doubt, the Legislation Act 2019 applies to this Bylaw.
- 3.6. To avoid doubt, reference to "include" and "including" in this Bylaw means without limitation.

4. Exclusions

4.1. This Bylaw does not prohibit, regulate or control, in the case of alcohol in an unopened container:

- a) the transport of the alcohol from licensed premises next to a public place, if—
 - i) it was lawfully bought on those premises for consumption off those premises; and
 - ii) it is promptly removed from the public place; or
- b) the transport of the alcohol from outside a public place for delivery to licensed premises next to the public place; or
- c) the transport of the alcohol from outside a public place to premises next to a public place by, or for delivery to, a resident of the premises or his or her bona fide visitors; or
- d) the transport of the alcohol from premises next to a public place to a place outside the public place if—
 - i) the transport is undertaken by a resident of those premises; and
 - ii) the alcohol is promptly removed from the public place; or
- e) the transport of alcohol from outside a public place to a building next to the public place if—
 - i) it was lawfully transported to that building for lawful consumption within the building; and
 - ii) it is promptly removed from the public place.

4.2. To avoid doubt, this Bylaw does not apply within the following buildings:

- a) the Cambridge Town Hall, Victoria Street, Cambridge;
- b) the Te Awamutu Events Centre, Selwyn Lane, Te Awamutu;
- c) the Council office building at 101 Bank Street, Te Awamutu; and
- d) the Council office building at 23 Wilson Street, Cambridge.

Guidance Note:

Clause 4.1(a)-(d) replicates section 147(4) of the Local Government Act 2002.

Clause 4.2 makes clear that the Bylaw does not apply inside specified Council-owned buildings.

The prohibitions in this Bylaw only apply to specified public places. This excludes premises which hold a current alcohol licence issued under the Sale and Supply of Alcohol Act 2012, including special licences issued under that Act.

PART 2 - Control of Alcohol

5. Permanent alcohol ban areas

- 5.1. The following areas are permanent alcohol ban areas at all times:
- a) a public place within the areas identified in Schedule 1 to this Bylaw; and
 - b) all skateparks.
- 5.2. The following areas are permanent alcohol ban areas only between the hours of 8pm and 8am:
- a) any playground;
 - b) any cemetery; and
 - c) any public place within the areas identified in Schedule 2 to this Bylaw.

6. Temporary alcohol ban areas

- 6.1. Council may, by resolution, prohibit for a temporary period any or all of the following:
- a) the consumption of alcohol in an area in a public place;
 - b) the bringing of alcohol in an area in a public place;
 - c) the possession of alcohol in an area in a public place.
- 6.2. The Council may, by resolution, amend or revoke a resolution made under clause 6.1 at any time.
- 6.3. Council must give public notice of any resolution made under clause 6.1 or clause 6.2 providing for a temporary alcohol ban area at least 14 days before the temporary alcohol ban area comes into effect.

Guidance Note:

A resolution under clause 6.1 is subject to the requirements of section 147B of the Local Government Act 2002. This requires that before a resolution is made under this Bylaw, Council must be satisfied that:

- a) there is evidence that the area to which the bylaw applies (or will apply by virtue of the resolution) has experienced a high level of crime or disorder that can be shown to have been caused or made worse by alcohol consumption in the area; and
- b) the bylaw, as applied by the resolution:
 - i) is appropriate and proportionate in the light of the evidence; and
 - ii) can be justified as a reasonable limitation on people's rights and freedoms.

Where possible, the Council's public notice and/or information on its website following a resolution under this clause will include a map of the temporary alcohol ban area.

7. Prohibitions

7.1. No person may, without Council approval:

- a) consume any alcohol in a permanent alcohol ban area or temporary alcohol ban area;
- b) bring any alcohol into a permanent alcohol ban area or temporary alcohol ban area; or
- c) possess any alcohol in a permanent alcohol ban area or temporary alcohol ban area.

7.2. The restrictions in clauses 7.1 apply to any person, whether or not they are in a vehicle.

Guidance Note:

Where it is practicable or reasonable to do so, Council will erect signage within permanent alcohol ban areas and temporary alcohol ban areas to provide information to the public about the restrictions. To avoid doubt, the absence of signage does not authorise a breach of this Bylaw. The requirement for signage is subject to any regulations made under section 147C of the Local Government Act 2002.

PART 3 - Approvals, Enforcement and Transitional Provisions

8. Council Approval

8.1. Any person wishing to obtain Council approval for the purposes of this Bylaw must make a written application to Council using any specified form, accompanied by the relevant fee.

Guidance Note:

Contact Council at info@waipadc.govt.nz for information on relevant forms. Council's current fees and charges are specified in Council's website.

8.2. On receipt of an application made under clause 8.1, Council may grant the approval, refuse the approval, or request further information.

8.3. Any approval granted under clause 8.2 may be subject to any reasonable conditions imposed by Council.

8.4. A person granted an approval with conditions imposed under clause 8.3 must comply with those conditions.

8.5. Council may revoke, modify or cancel any Council approval granted under this Bylaw if:

- a) any conditions of the approval are not complied with;
- b) there is a material change in circumstances which requires the Approval, or any conditions imposed on an approval, to be revoked or modified; or

c) the information provided to Council in support of the approval application is found to be incorrect or misleading.

- 8.6. Council must give the approval holder written notice of its intention to revoke, modify or cancel any Council approval or conditions under clause 8.5, which is to include a description of why the revocation or modification is necessary.
- 8.7. After receipt of a notice issued under clause 8.6, and if an approval holder disputes the need for revocation or modification, the approval holder may submit any relevant information to Council within 5 working days, after which the Council will make a final decision.

9. Police powers of search in temporary alcohol ban areas

- 9.1. This clause authorises members of the Police to exercise the power of search under section 169(2)(a) of the Act, for the purposes of section 170(2) of the Act, in relation to any area which has been declared a temporary alcohol ban area by resolution of the Council under clause 6.
- 9.2. Subject to clause 9.3 below, the powers of search can be exercised by the Police immediately and without further notice.
- 9.3. Clause 9.1 only applies if the resolution declaring a temporary alcohol ban provides that clause 9.1 of this bylaw will apply.

Guidance Note:

The powers of search given to the Police in section 169 of the Act also apply to the prohibitions in clause 7 of this Bylaw.

10. Offence

- 10.1. Any person who breaches this Bylaw commits an offence.

Guidance Note:

Any person who breaches this Bylaw commits an infringement offence under section 239A of the Act and may be served with an infringement notice under section 245 of the Act and be liable to pay an infringement fee.

Under the Local Government (Alcohol Ban Breaches) Regulations 2013, an infringement fee of \$250 is payable for a breach of this Bylaw.

Sections 169 and 170 of the Local Government Act 2002 provide the Police with a range of enforcement powers relating to breaches of this Bylaw. This includes the powers of search, seizure and arrest.

11. Transitional Provisions

- 11.1. Any approval which originated under or was continued by Waipa District Council Public Places Alcohol Control Bylaw 2015 revoked in clause 1.3 that is continuing at the

commencement of this Bylaw, continues to have full force and effect for the purposes of this Bylaw, but is subject to the application of any relevant clauses in this Bylaw.

- 11.2. The revocation of the Waipa District Council Public Places Alcohol Control Bylaw 2015 under clause 1.3 does not prevent any legal proceedings, criminal or civil, being taken to enforce that Bylaw and such proceedings continue to be dealt with and completed as if the Bylaw had not been revoked.
- 11.3. Any application for an approval made under the Waipa District Council Public Places Alcohol Control Bylaw 2015 revoked under clause 1.3 for which an approval has not been granted at the time of this Bylaw coming into force, is deemed to be an application made under clause 8.1.

This Bylaw was made by the **WAIPA DISTRICT COUNCIL**, having used the special consultative procedure under the Local Government Act 2002, at a meeting of the Council held on the XXX.

IN WITNESS WHEREOF the Common Seal of the **WAIPA DISTRICT COUNCIL** was hereunto affixed pursuant to a resolution of Council passed on the XXXX in the presence of:

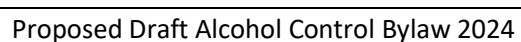
..... Mayor
[Name]

..... Chief Executive
[Name]









APPENDIX 3

Proposed Draft Alcohol Control Bylaw (Tracked Changes Version) [ECM number 11167048]

NOTE: The tracked changes in this version of the Proposed Draft Alcohol Control Bylaw (Tracked Changes Version) are comparing similar clauses between the Expiring Bylaw and the Proposed Draft Bylaw. The intent is to compare like for like which results in the numbering of the Proposed Draft Bylaw being out of sequence on occasions.



~~Public Places~~ **PROPOSED** **DRAFT** Alcohol Control Bylaw

2 0 2 4

This bylaw is made ~~by the Waipa District Council under the powers given to it by~~ **under** the Local Government Act 2002 ~~and the Sale and Supply of Alcohol Act 2012 and their respective amendments.~~

Proposed Draft (tracked changes) 11167048

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**SCHEDULE 2 – PERMANENT ALCOHOL BAN AREAS – ONLY BETWEEN THE HOURS OF 8:00PM
AND 8:00AM.....15**

First adopted:	2008
Revision dates/version History:	2015. This bylaw amends the Waipa District Council Public Places Liquor Control Bylaw 2008. Waipā District Council Public Places Alcohol Control Bylaw 2015 amended the Public Places Liquor Control Bylaw 2008. This bylaw revokes and replaces the Waipa District Council Public Places Alcohol Control Bylaw 2015.
Next review date:	2025-2034
Engagement required:	S83 Local Government Act 2002
Document number:	15060264 11154935
Associated documents:	Local Alcohol Policy (ECM 5980595)
Policy Owner:	Environmental Services Health

1. Purpose and Scope PART 1 Preliminary Provisions

1. Title, Commencement and Application

~~1.1.1. 1.1~~ This Bylaw shall be cited and referred to as ~~is~~ the "Waipa District Council Public Places Alcohol Control Bylaw 2015"~~24~~.

~~1.2~~ This Bylaw comes into force on XX.

~~1.3~~ The Waipa District Council Public Places Alcohol Control Bylaw 2015 is revoked and replaced by this Bylaw.

~~1.1.2. 1.4~~. This Bylaw shall ~~apply~~ **applies** within to specified public places in the boundaries ~~district~~ of the Waipa District **Council**. The provisions shall ~~apply to the areas as detailed in Schedule 1.~~

2. Purpose of the Bylaw

~~1.1.3. 2.1~~. The purpose of this ~~Bylaw~~ **Bylaw** is to ~~prohibit or control the consumption of, bringing into and possession of alcohol in restricted places and also to:~~ **reduce or prevent alcohol-related crime or disorder in public places by prohibiting, regulating and controlling:**

- ~~(a) Protect the public from nuisance in public places~~ **the consumption of alcohol in specified public places;**
- ~~(b) Protect, promote and maintain public health and safety in public places~~ **the bringing of alcohol into specified public places; and**
- ~~(c) Minimise the potential for offensive behaviour in public places~~ **the possession of alcohol in specified public places.**

~~1.1.4.~~ This Bylaw is in addition to the following:

- ~~(a) The Sale and Supply of Alcohol Act 2012~~
- ~~(b) Local Government Act 2002~~
- ~~(c) Operative Waipa District Plan~~
- ~~(d) Proposed Waipa District Plan~~

2. 3. Definitions Interpretation

~~2.1.1. 3.1~~. For the purposes of this Bylaw the following definitions shall ~~apply~~ **In this Bylaw, unless the context otherwise requires:**

Term	Definition
Act	means the Local Government Act 2002.
Alcohol	has the meaning given by section 5(1) of the Sale and Supply of Alcohol Act 2012.
Approved approval or	means a written approval, permit or consent provided by Council, including any authorised officer of Council.
Cemetery	means any public place held, set apart, dedicated, or reserved, under the provisions of any Act, exclusively for the burial of the dead, and includes a closed cemetery, as that term is defined in the Burial and Cremation Act 1964.
Council	means Waipa District Council.
Event	as defined in section 5 of the Sale and Supply of Alcohol Act 2012, includes an occasion and a gathering, and any of a series of events. means any occasion and gathering, and any series of events. These can include but are not limited to a meeting, parade, concert, fair, celebration, festival, function, sporting or cultural event, commemoration, or other similar occasion, or a series of such occasions.
Licensed premises	has the meaning given by means a premises holding a current alcohol licence, including a special licence, pursuant to the section 5(1) of the Sale and Supply of Alcohol Act 2012.
Permanent alcohol ban area	has the meaning specified in clauses 5.1 and 5.2 of this Bylaw.
Playground	means a public place with equipment and other facilities principally designed for children's play that is: (a) a fenced outdoor area; or (b) within 5 metres of any equipment or facilities in an outdoor area.
Public place	has the meaning given by as defined in section 147 of the Local Government Act 2002: (a) means a place that is open to or is being used by the public, whether free or on payment of a charge, and whether any owner or occupier of the place is lawfully entitled to exclude or eject any person from it; but (b) does not include licensed premises. For the avoidance of doubt this definition includes roads, service lanes, footpaths, pedestrian malls, public car parks, parks and reserves.
Restricted place	means a place specified in this bylaw, and in respect of which the prohibitions and controls in this bylaw will apply at any specified time, day or event. It does not include any part of a public place for which a alcohol

Term	Definition
	licence has been issued under the Sale and Supply of Alcohol Act 2012.
Skatepark	means an outdoor public place having structures and surfaces principally designed for the purpose of roller-skating and skateboarding.
Temporary alcohol ban area	means an area in a public place as specified by Council resolution under clause 6.1 during the relevant temporary period.
Temporary period	means such times, days and dates, whether reoccurring or not, as specified by resolution under clause 6.1, and may include the period of any Event specified in the resolution, whether reoccurring or not.
Territorial authority	means the Waipa District Council, and “Council” has the same meaning.
Vehicle	has the same meaning as set out section 2(1) of the Land Transport Act 1998.

- 3.2. To avoid doubt, compliance with this Bylaw does not remove the need to comply with all other applicable enactments.
- 3.3. Unless the context requires another meaning, a term of expression that is defined in the Local Government Act and used in this Bylaw, but not defined, has the meaning given by the Act.
- 3.4. Any guidance or explanatory notes do not form part of this Bylaw, and may be made, amended and revoked without formality.
- 3.5. To avoid doubt, the Legislation Act 2019 applies to this Bylaw.
- 3.6. To avoid doubt, reference to “include” and “including” in this Bylaw means without limitation.

3. PART 2 Control of Alcohol

3.1. 5. Permanent alcohol bans ~~areas~~ in restricted places

- 3.1.1 ~~5.1. Subject to part 6 of this bylaw, t~~The following **areas** actions are **permanent alcohol ban areas** prohibited at all times: ~~in any place within the areas detailed in Schedule 1:~~
- (a) ~~The consumption of alcohol in a restricted place;~~
 - (b) ~~The bringing of alcohol into a restricted place;~~
 - (c) ~~The possession of alcohol in a restricted place; and~~

~~(d) In conjunction with the alcohol controls under paragraphs a) to c) above, the presence or consumption of alcohol in vehicles in restricted public places is also prohibited.~~

- (a) a public place within the areas identified in Schedule 1 to this Bylaw; and
- (b) all skateparks.

5.2. The following areas are permanent alcohol ban areas only between the hours of 8pm and 8am:

- (a) any playground;
- (b) any cemetery; and
- (c) any public place within the areas identified in Schedule 2 to this Bylaw.

3.2. 6. Temporary alcohol bans areas

~~3.2.1 6.1 Council may from time to time, by resolution, prohibit for a temporary period any or all of the following:~~

~~make a temporary alcohol ban for a public place for a particular time period related to a specified event or a particular time of the year. The same prohibitions in clause 3.1 which apply to restricted places with permanent alcohol bans will apply for the period of the temporary ban.~~

- (a) the consumption of alcohol in an area in a public place;
- (b) the bringing of alcohol in an area in a public place;
- (c) the possession of alcohol in an area in a public place.

6.2. The Council may, by resolution, amend or revoke a resolution made under clause 6.1 at any time.

~~3.2.2 6.3. Council must give public notice of any resolution made under clause 6.1 or clause 6.2 providing for a temporary alcohol ban area at least 14 days before the temporary alcohol ban comes into effect. Where this is done, a minimum 7 days of public notice of the~~

Guidance Note:

A resolution under clause 6.1 is subject to the requirements of section 147B of the Local Government Act 2002. This requires that before a resolution is made under this Bylaw, Council must be satisfied that:

- a) there is evidence that the area to which the bylaw applies (or will apply by virtue of the resolution) has experienced a high level of crime or disorder that can be shown to have been caused or made worse by alcohol consumption in the area; and
- b) the bylaw, as applied by the resolution:
 - i) is appropriate and proportionate in the light of the evidence; and
 - ii) can be justified as a reasonable limitation on people's rights and freedoms.

Where possible, the Council's public notice and/or information on its website following a resolution under this clause will include a map of the temporary alcohol ban area.

~~temporary alcohol ban shall be given prior to the event or particular time of the year, specifying the additional restricted area(s) and the time period when the provisions of this bylaw shall apply. Public notices shall be affixed in or adjacent to these restricted places at such times that the provisions of this bylaw apply.~~

7. Prohibitions

7.1. No person may, without Council approval:

- (a) consume any alcohol in a permanent alcohol ban area or temporary alcohol ban area;
- (b) bring any alcohol into a permanent alcohol ban area or temporary alcohol ban area; or
- (c) possess any alcohol in a permanent alcohol ban area or temporary alcohol ban area.

Guidance Note:

Where it is practicable or reasonable to do so, Council will erect signage within permanent alcohol ban areas and temporary alcohol ban areas to provide information to the public about the restrictions. To avoid doubt, the absence of signage does not authorise a breach of this Bylaw. The requirement for signage is subject to any regulations made under section 147C of the Local Government Act 2002.

7.2. The restrictions in clauses 7.1 apply to any person, whether or not they are in a vehicle.

PART 3 Approvals, Enforcement and Transitional Provisions

8. Council Approval

8.1. Any person wishing to obtain Council approval for the purposes of this Bylaw must make a written application to Council using any specified form, accompanied by the relevant fee.

Guidance Note:

Contact Council at info@waipadc.govt.nz for information on relevant forms. Council's current fees and charges are specified in Council's website.

8.2. On receipt of an application made under clause 8.1, Council may grant the approval, refuse the approval, or request further information.

8.3. Any approval granted under clause 8.2 may be subject to any reasonable conditions imposed by Council.

8.4. A person granted an approval with conditions imposed under clause 8.3 must comply with those conditions.

~~3.2.3~~ 8.5. Council, may at any time, amend or revoke an alcohol ban in accordance with the provisions of this Bylaw and the Local Government Act 2002. Council may revoke, modify or cancel any Council approval granted under this Bylaw if:

- (a) any conditions of the approval are not complied with;
- (b) there is a material change in circumstances which requires the Approval, or any conditions imposed on an approval, to be revoked or modified; or
- (c) the information provided to Council in support of the approval application is found to be incorrect or misleading.

8.6. Council must give the approval holder written notice of its intention to revoke, modify or cancel any Council approval or conditions under clause 8.5, which is to include a description of why the revocation or modification is necessary.

8.7. After receipt of a notice issued under clause 8.6, and if an approval holder disputes the need for revocation or modification, the approval holder may submit any relevant information to Council within 5 working days, after which the Council will make a final decision.

4. Amending this Bylaw

~~4.1.1.~~ Council may amend this bylaw in accordance with the provisions of the Local Government Act 2002 (LGA), which require public consultation, other than for very minor amendments. Amendments may include adding a restricted place to Schedule 1, modifying the boundaries of a restricted place already contained in Schedule 1 or removing a restricted place from Schedule 1.

~~4.1.2.~~ Before amending this bylaw by resolution, Council may consider:

- (a) The extent of the problems associated with alcohol in the restricted areas;
- (b) Whether these problems are likely to continue without alcohol control;
- (c) Other options for addressing these problems, in particular options that may be more appropriate than alcohol control;
- (d) Due balance between public and private rights;
- (e) The community's views on the proposed ban;
- (f) The police's views on the proposed ban; and
- (g) Any other matter Council considers relevant.

5. Offences and Penalties

5.1. 10. Offences

5.1.1. ~~10.1. Every~~ Any person who breaches this Bylaw commits an offence. ~~COMMITTS AN OFFENCE~~ under the Local Government Act 2002, and is liable to a fine not exceeding \$20,000 (twenty thousand dollars) who:

- (a) ~~Fails to comply with or acts in contravention of any alcohol ban or any provision of this Bylaw; or~~
- (b) ~~Breaches the conditions of any dispensation or exemption granted pursuant to this Bylaw; or~~
- (c) ~~Fails to comply with a notice served under this Bylaw.~~

5.1.2. Breaches of this bylaw are also Infringement Notice offences under section 245 of the the Local Government Act 2002.

Guidance Note:

Any person who breaches this Bylaw commits an infringement offence under section 239A of the Act and may be served with an infringement notice under section 245 of the Act and be liable to pay an infringement fee.

Under the Local Government (Alcohol Ban Breaches) Regulations 2013, an infringement fee of \$250 is payable for a breach of this Bylaw.

Sections 169 and 170 of the Local Government Act 2002 provide the Police with a range of enforcement powers relating to breaches of this Bylaw. This includes the powers of search, seizure and arrest.

5.2. 9. Powers of the Police powers of search in temporary alcohol ban areas

9.1. This clause authorises members of the Police to exercise the power of search under section 169(2)(a) of the Act, for the purposes of section 170(2) of the Act, in relation to any area which has been declared a temporary alcohol ban area by resolution of the Council under clause 6.

9.2. Subject to clause 9.3 below, the powers of search can be exercised by the Police immediately and without further notice.

9.3. Clause 9.1 only applies if the resolution declaring a temporary alcohol ban provides that clause 9.1 of this bylaw will apply.

Guidance Note:

The powers of search given to the Police in section 169 of the Act also apply to the prohibitions in clause 7 of this Bylaw.

- 5.2.1. ~~Police powers of arrest, search and seizure under this bylaw are set out in sections 169, 169A and 170 of the Local Government Act 2002. A constable may, without warrant, for the purpose of ascertaining whether alcohol is present, search a container (for example, a bag, case, package, or parcel) in the possession of a person who is in, or entering, a restricted place; or a vehicle that is in, or is entering, a restricted place; and seize and remove any alcohol (and its container) that is in a restricted place in breach of an alcohol ban.~~
- 5.2.2. ~~A constable may arrest any person whom the constable finds committing an offence, arrest any person who has refused to comply with a request by a constable, to leave a restricted place; or to surrender to a constable any alcohol that, in breach of an alcohol ban is in the person's possession.~~
- 5.2.3. ~~Alcohol or a container seized under Section 169 subsection (2)(b) of the Local Government Act 2002 is forfeited to the Crown if the person from whom the alcohol or container is seized pays the infringement fee.~~
- 5.2.4. ~~The police do not require a warrant to conduct a search to ascertain whether alcohol is present in a container or a vehicle. A person must be informed that they have the opportunity to promptly remove a container or a vehicle containing alcohol from a restricted place, and the person shall be given a reasonable opportunity to do so.~~
- 5.2.5. ~~For the avoidance of doubt, in circumstances where a person so informed has removed alcohol from a restricted place, and subsequently returns with alcohol to that restricted place within a period when it could be reasonably deemed that the person has been informed prior to remove the alcohol, this bylaw shall not be interpreted as in any way requiring the police to provide the person with a further opportunity to remove the alcohol from the restricted place prior to search.~~

6. ~~4.~~ Exemptions and Dispensations **Exclusions**

- 6.1.1. ~~This bylaw does not limit any individual or organisation (corporate or otherwise) from obtaining a Special Licence pursuant to section 137 of the Sale and Supply of Alcohol Act 2012, for any event to be held in a restricted place.~~

~~6.1.2.~~ **4.1.** ~~As provided for in section 147(4) of the Act, this Bylaw does not prohibit, regulate or control,~~ in the case of alcohol in an ~~unopened bottle or~~ unopened container:

- (a) ~~the~~ transport of the alcohol from licensed premises next to a public place, if—
 - (i) it was lawfully bought on those premises for consumption off those premises; and
 - (ii) it is promptly removed from the ~~Public~~ **Place**; or
- (b) ~~the~~ transport of the alcohol from outside a public place for delivery to licensed premises next to the public place; or
- (c) ~~the~~ transport of the alcohol from outside a public place to premises next to a public place by, or for delivery to, a resident of the premises or his or her bona fide visitors; or
- (d) ~~the~~ transport of the alcohol from premises next to a public place to a place outside the public place if—
 - (i) the transport is undertaken by a resident of those premises; and
 - (ii) the alcohol is promptly removed from the public place.
- (e) the transport of alcohol from outside a public place to a building next to the public place if—**
 - (i) it was lawfully transported to that building for lawful consumption within the building; and**
 - (ii) it is promptly removed from the public place.**

4.2. To avoid doubt, this Bylaw does not apply inside the following buildings:

- (a) the Cambridge Town Hall, Victoria Street, Cambridge;**
- (b) the Te Awamutu Events Centre, Selwyn Lane, Te Awamutu;**
- (c) the Council office building at 101 Bank Street, Te Awamutu; and**
- (d) the Council office building at 23 Wilson Street, Cambridge.**

Guidance Note:

Clause 4.1 (a)-(d) replicates section 147(4) of the Local Government Act 2002.

Clause 4.2 makes clear that the Bylaw does not apply inside specified Council-owned buildings.

The prohibitions in this Bylaw only apply to specified public places. This excludes premises which hold a current alcohol licence issued under the Sale and Supply of Alcohol Act 2012, including special licences issued under that Act.

~~6.1.3. This bylaw does not prohibit the possession and/or consumption of alcohol at any premises within a restricted place in compliance with the conditions of a licence for the~~

~~sale and/or consumption of alcohol under the Sale and Supply of Alcohol Act 2012. This includes footpath areas that are licensed as part of those premises and are clearly defined by the placement of tables and chairs outside those premises or an approved plan, and other areas, clearly defined and identified under an appropriate alcohol licence for an event or function at the time alcohol is being possessed or consumed.~~

~~6.1.4. In addition this bylaw does not prohibit the possession and/or consumption of alcohol within any premises detailed in Schedule 2, or the taking of sealed containers to or from those premises in conjunction with an event occurring there with the approval of the premises management or owner, provided any other alcohol licence requirements are complied with.~~

~~6.1.5. The Chief Executive of the Waipa District Council or a delegated staff member may, on application by any person (including a territorial authority employee), grant a dispensation to do or refrain from doing anything that would otherwise be in breach of this bylaw for the purpose of enabling possession and/or consumption of alcohol in a restricted place at any time.~~

~~6.1.6. Such a dispensation shall be granted only in respect of specific time periods and specific locations associated with an event, to enable better enjoyment of the event by members of the public, and may be subject to such conditions or requirements as the delegated staff member determines are necessary to meet the objectives of the Local Government Act 2002 and the Sale and Supply of Alcohol Act 2012.~~

~~6.1.7. In considering any such application, the delegated staff member responsible for making the decision shall obtain and consider a report from the police, and a Licensing Inspector, including any matters set out in that response.~~

6.2. Fees and charges

~~6.2.1. Fees for the issue of dispensations and other actions under this Bylaw are as set out in Council's Schedule of Fees and Charges.~~

~~6.2.2. Fees and Charges for the issue of dispensations and other actions under this Bylaw may be amended from time to time in accordance with section 150 of the Local Government Act 2002.~~

7. Revocation

11. Transitional Provisions

The Waipa District Council Public Places Liquor Control Bylaw 2008 is hereby revoked.

- 11.1. Any approval which originated under or was continued by Waipa District Council Public Places Alcohol Control Bylaw 2015 revoked in clause 1.3 that is continuing at the commencement of this Bylaw, continues to have full force and effect for the purposes of this Bylaw, but is subject to the application of any relevant clauses in this Bylaw.
- 11.2. The revocation of the Waipa District Council Public Places Alcohol Control Bylaw 2015 under clause 1.3 does not prevent any legal proceedings, criminal or civil, being taken to enforce that Bylaw and such proceedings continue to be dealt with and completed as if the Bylaw had not been revoked.
- 11.3. Any application for an approval made under the Waipa District Council Public Places Alcohol Control Bylaw 2015 revoked under clause 1.3 for which an approval has not been granted at the time of this Bylaw coming into force, is deemed to be an application made under clause 8.1.

The foregoing ~~This~~ Bylaw was made by the **WAIPA DISTRICT COUNCIL**, having use the ~~by~~ Special Consultative Procedure ~~under the Local Government Act 2002~~, and confirmed at a meeting of Council held on ~~the XXX~~ 29 September 2015. This Bylaw becomes operative on the 9 October 2015.

IN WITNESS WHEREOF the Common Seal of the **WAIPA DISTRICT COUNCIL** was hereunto affixed pursuant to a resolution of Council passed on ~~the~~ [date] in the presence of:

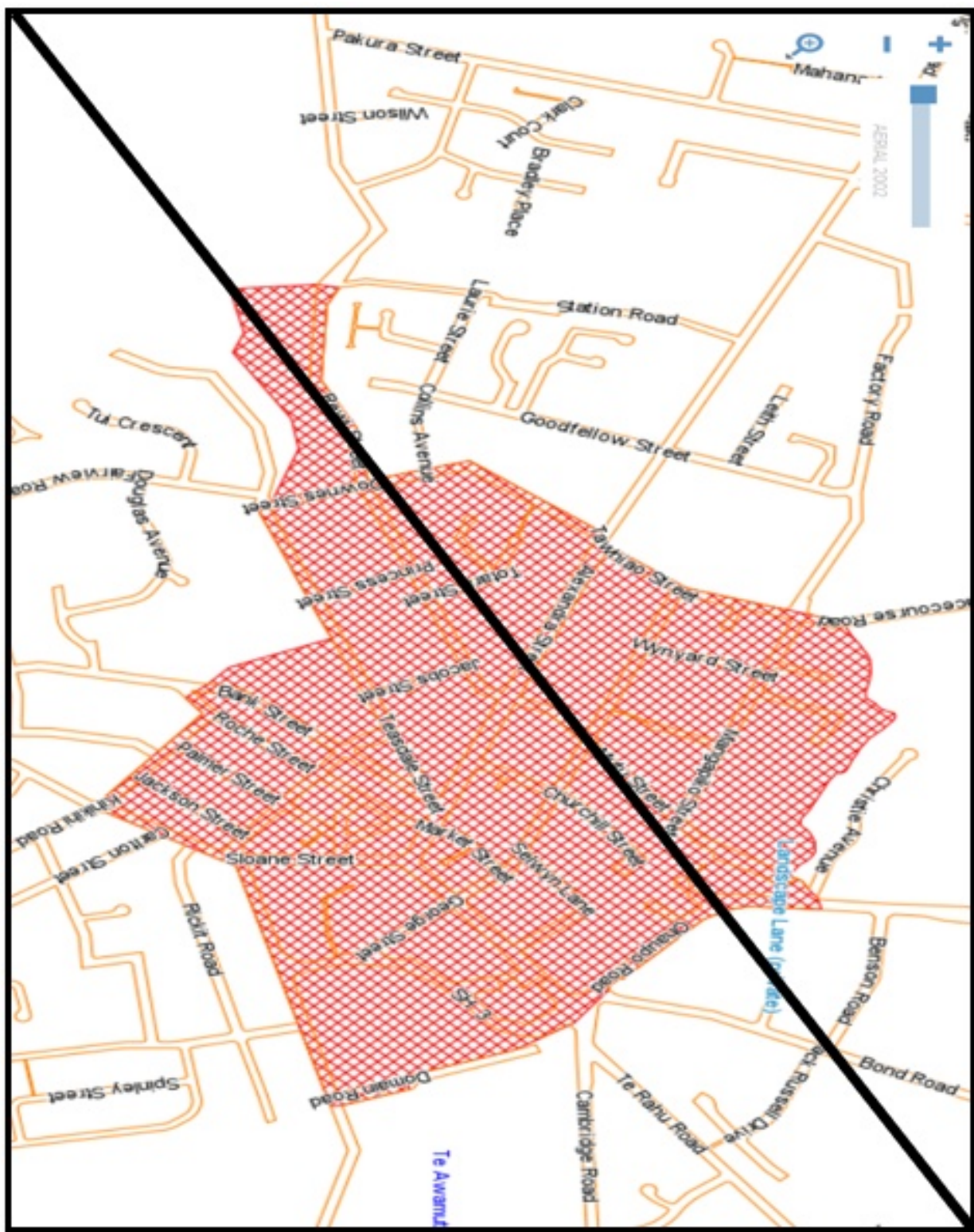
..... Mayor	 Chief Executive
Jim Mylchreest	Garry Dyet

Schedule 1: Restricted Places PERMANENT ALCOHOL BAN AREAS – AT ALL TIMES

Public places within the following areas of Waipa District are restricted places for the purpose of this bylaw as shown by the hatched areas on the maps attached for

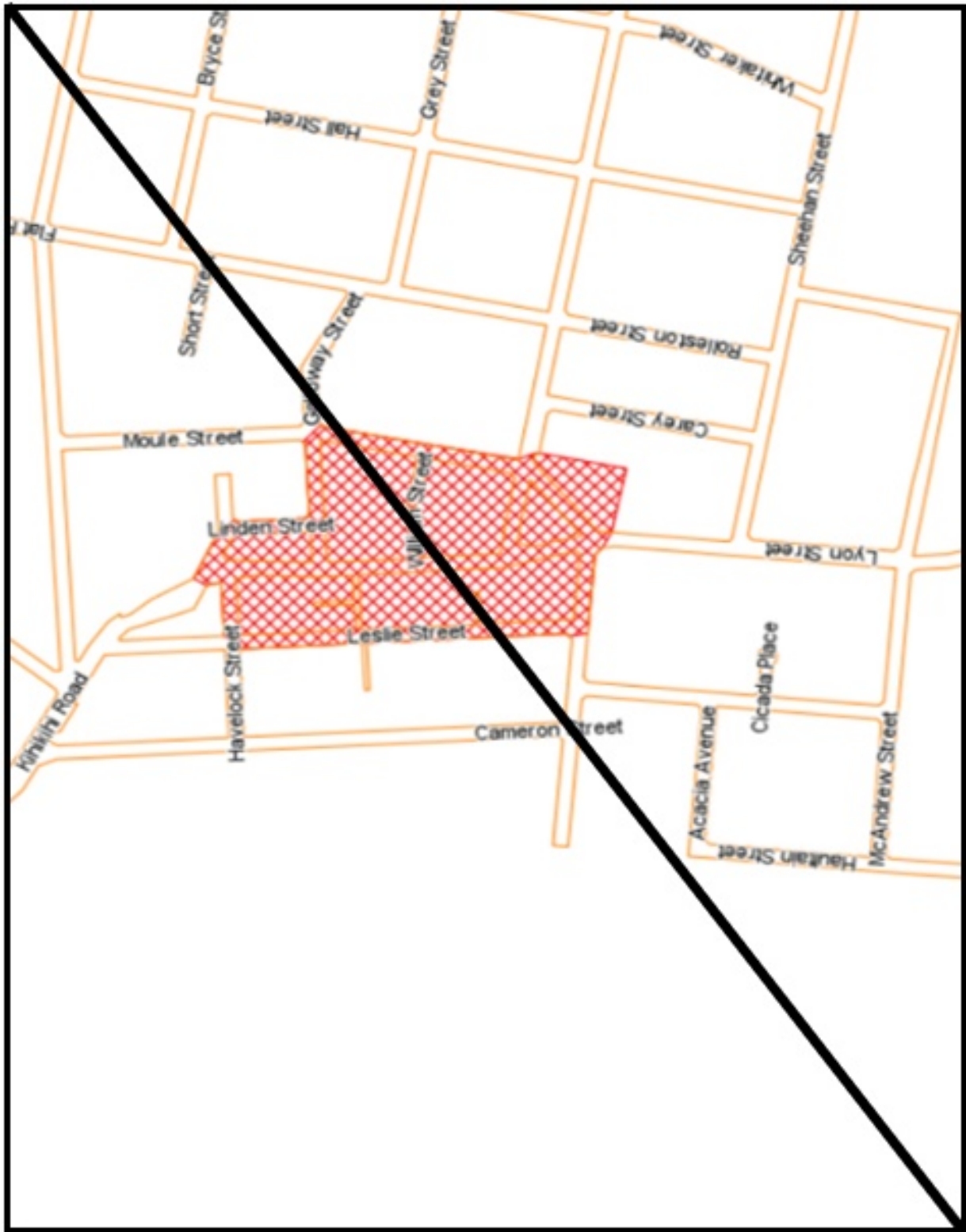
- ~~Map A – Te Awamutu~~
- ~~Map B – Kihikihi~~
- ~~Map C – Cambridge~~
- ~~Map D – Leamington~~

Map A – Te Awamutu



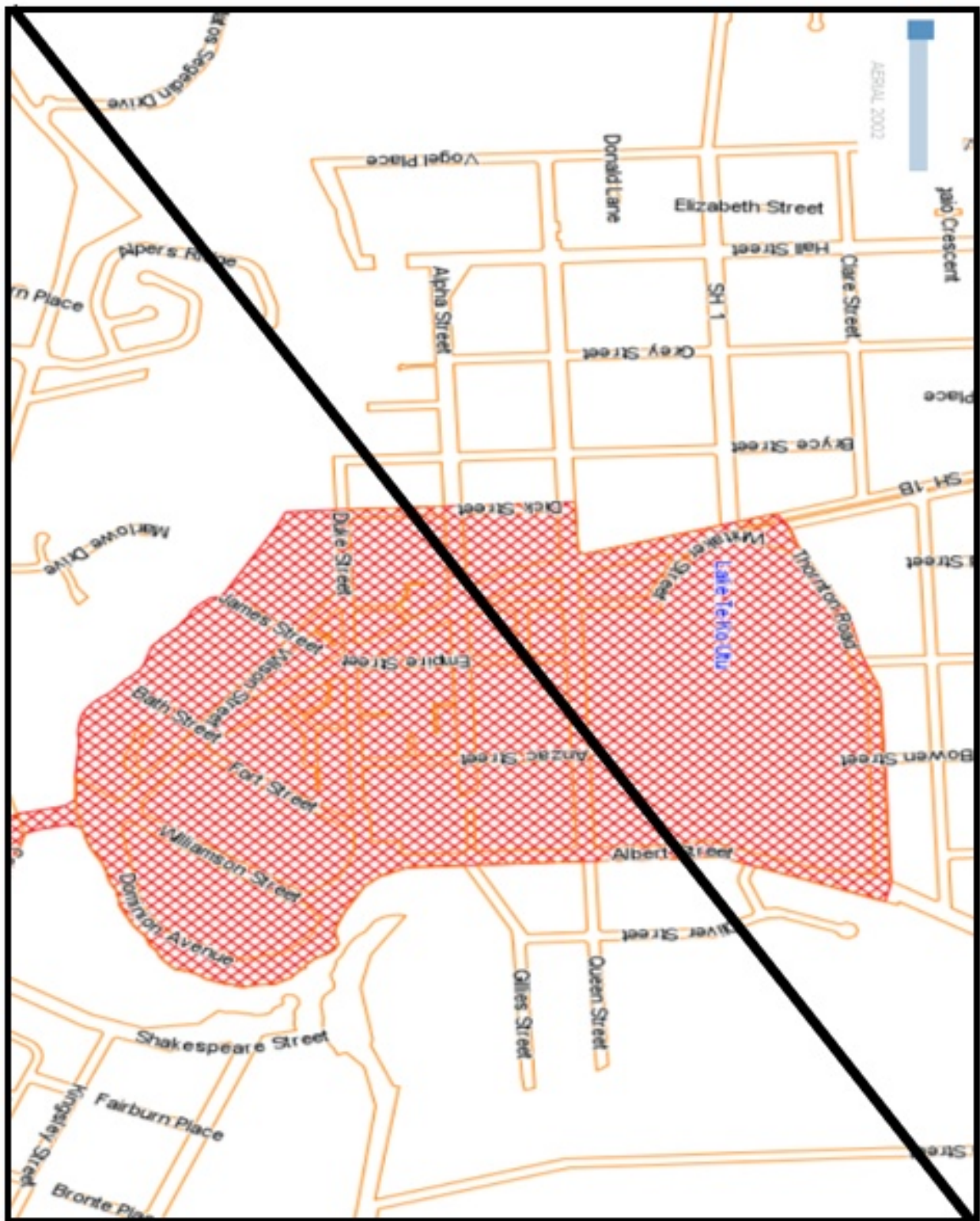


Map B – Kihikihi



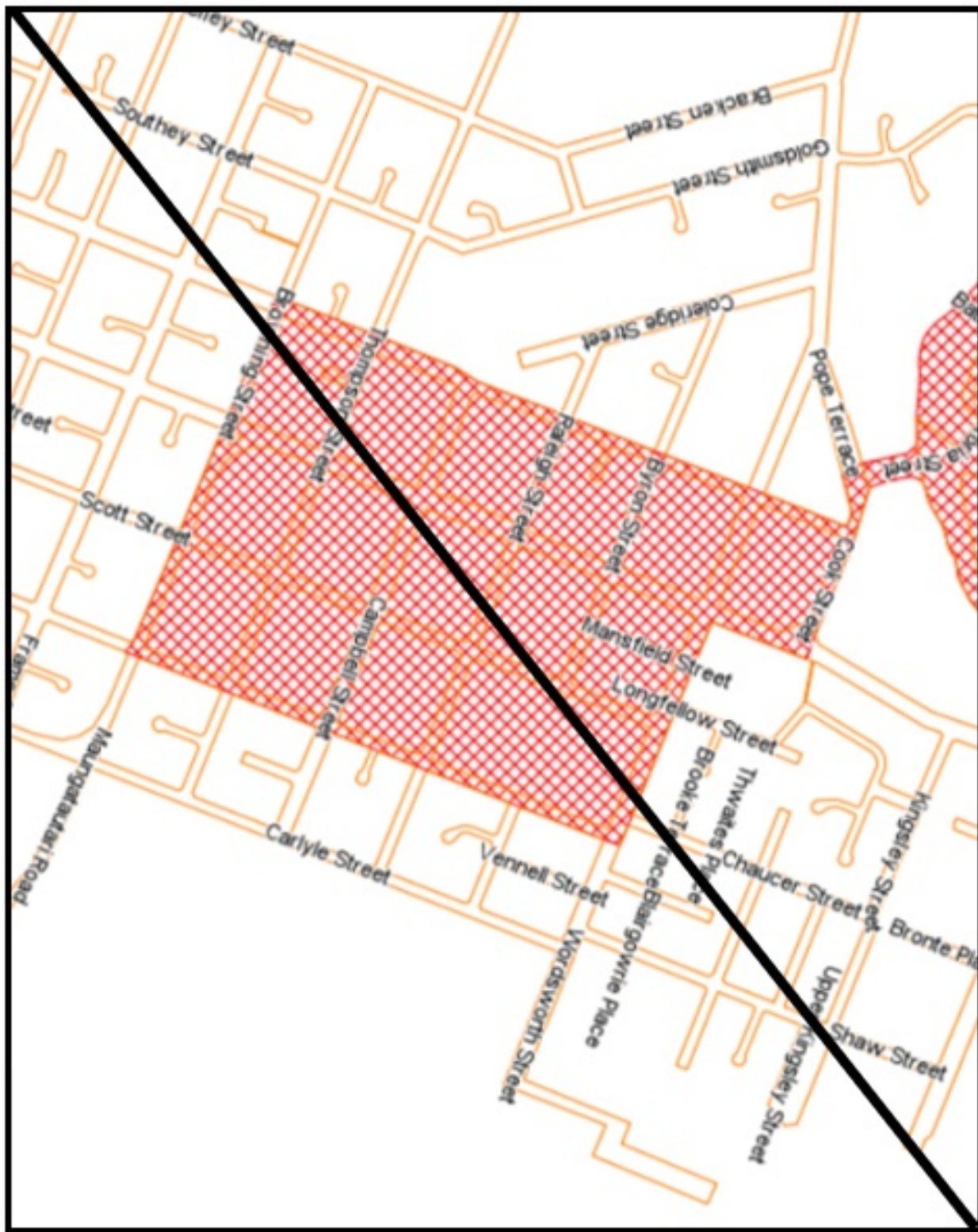


Map C – Cambridge





Map D – Leamington



APPENDIX 4

Public Places Alcohol Control Bylaw 2015 (Expiring Bylaw) [*ECM number 5710882*]



Public Places Alcohol Control Bylaw

2015

This bylaw is made by the Waipa District Council under the powers given to it by the Local Government Act 2002 and the Sale and Supply of Alcohol Act 2012 and their respective amendments.

15060264

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First adopted:	2008
Revision dates/version:	2015. This bylaw amends the Waipa District Council Public Places Liquor Control Bylaw 2008.
Next review date:	2025
Engagement required:	S83 Local Government Act 2002
Document number:	15060264
Associated documents:	Local Alcohol Policy
Policy Owner:	Environmental Services

1. Purpose and Scope

- 1.1.1. This Bylaw shall be cited and referred to as the "Waipa District Council Public Places Alcohol Control Bylaw 2015".
- 1.1.2. This Bylaw shall apply within the boundaries of the Waipa District. The provisions shall apply to the areas as detailed in Schedule 1.
- 1.1.3. The purpose of this bylaw is to prohibit or control the consumption of, bringing into and possession of alcohol in restricted places and also to:
- Protect the public from nuisance in public places;
 - Protect, promote and maintain public health and safety in public places; and
 - Minimise the potential for offensive behaviour in public places.
- 1.1.4. This Bylaw is in addition to the following:
- The Sale and Supply of Alcohol Act 2012
 - Local Government Act 2002
 - Operative Waipa District Plan
 - Proposed Waipa District Plan

2. Definitions

- 2.1.1. For the purposes of this Bylaw the following definitions shall apply:

Term	Definition
Event	as defined in section 5 of the Sale and Supply of Alcohol Act 2012, includes an occasion and a gathering, and any of a series of events.
Alcohol	as defined in section 5 of the Sale and Supply of Alcohol Act 2012, means a substance: - that— - is or contains a fermented, distilled, or spirituous liquor; and - at 20°C is found on analysis to contain 1.15% or more ethanol by volume; or - that— - is a frozen liquid, or a mixture of a frozen liquid and another substance or substances; and - is alcohol (within the meaning of paragraph (a)) when completely thawed to 20°C; or

Term	Definition
	(c) that, whatever its form, is found on analysis to contain 1.15% or more ethanol by weight in a form that can be assimilated by people.
Licensed premises	means a premises holding a current alcohol licence, including a special licence, pursuant to the Sale and Supply of Alcohol Act 2012.
Public place	as defined in section 147 of the Local Government Act 2002: (a) means a place that is open to or is being used by the public, whether free or on payment of a charge, and whether any owner or occupier of the place is lawfully entitled to exclude or eject any person from it; but (b) does not include licensed premises. For the avoidance of doubt this definition includes roads, service lanes, footpaths, pedestrian malls, public car parks, parks and reserves.
Restricted place	means a place specified in this bylaw, and in respect of which the prohibitions and controls in this bylaw will apply at any specified time, day or event. It does not include any part of a public place for which a alcohol licence has been issued under the Sale and Supply of Alcohol Act 2012.
Territorial authority	means the Waipa District Council, and "Council" has the same meaning.

3. Control of Alcohol

3.1. Permanent alcohol bans in restricted places

3.1.1 Subject to part 6 of this bylaw, the following actions are prohibited at all times in any place within the areas detailed in Schedule 1:

- (a) The consumption of alcohol in a restricted place;
- (b) The bringing of alcohol into a restricted place;
- (c) The possession of alcohol in a restricted place; and
- (d) In conjunction with the alcohol controls under paragraphs a) to c) above, the presence or consumption of alcohol in vehicles in restricted public places is also prohibited.

3.2. Temporary alcohol bans

3.2.1 Council may from time to time, by resolution, make a temporary alcohol ban for a public place for a particular time period related to a specified event or a particular time of the

year. The same prohibitions in clause 3.1 which apply to restricted places with permanent alcohol bans will apply for the period of the temporary ban.

3.2.2 Where this is done, a minimum 7 days of public notice of the temporary alcohol ban shall be given prior to the event or particular time of the year, specifying the additional restricted area(s) and the time period when the provisions of this bylaw shall apply. Public notices shall be affixed in or adjacent to these restricted places at such times that the provisions of this bylaw apply.

3.2.3 Council, may at any time, amend or revoke an alcohol ban in accordance with the provisions of this Bylaw and the Local Government Act 2002.

4. Amending this Bylaw

4.1.1. Council may amend this bylaw in accordance with the provisions of the Local Government Act 2002 (LGA), which require public consultation, other than for very minor amendments. Amendments may include adding a restricted place to Schedule 1, modifying the boundaries of a restricted place already contained in Schedule 1 or removing a restricted place from Schedule 1.

4.1.2. Before amending this bylaw by resolution, Council may consider:

- (a) The extent of the problems associated with alcohol in the restricted areas;
- (b) Whether these problems are likely to continue without alcohol control;
- (c) Other options for addressing these problems, in particular options that may be more appropriate than alcohol control;
- (d) Due balance between public and private rights;
- (e) The community's views on the proposed ban;
- (f) The police's views on the proposed ban; and
- (g) Any other matter Council considers relevant.

5. Offences and Penalties

5.1. Offences

5.1.1. Every person **COMMITTS AN OFFENCE** under the Local Government Act 2002, and is liable to a fine not exceeding \$20,000 (twenty thousand dollars) who:

- (a) Fails to comply with or acts in contravention of any alcohol ban or any provision of this Bylaw; or

- (b) Breaches the conditions of any dispensation or exemption granted pursuant to this Bylaw; or
- (c) Fails to comply with a notice served under this Bylaw.

5.1.2. Breaches of this bylaw are also Infringement Notice offences under section 245 of the the Local Government Act 2002.

5.2. Powers of the Police

- 5.2.1. Police powers of arrest, search and seizure under this bylaw are set out in sections 169, 169A and 170 of the Local Government Act 2002. A constable may, without warrant, for the purpose of ascertaining whether alcohol is present, search a container (for example, a bag, case, package, or parcel) in the possession of a person who is in, or entering, a restricted place; or a vehicle that is in, or is entering, a restricted place: and seize and remove any alcohol (and its container) that is in a restricted place in breach of an alcohol ban.
- 5.2.2. A constable may arrest any person whom the constable finds committing an offence, arrest any person who has refused to comply with a request by a constable, to leave a restricted place; or to surrender to a constable any alcohol that, in breach of an alcohol ban is in the person's possession.
- 5.2.3. Alcohol or a container seized under Section 169 subsection (2)(b) of the Local Government Act 2002 is forfeited to the Crown if the person from whom the alcohol or container is seized pays the infringement fee.
- 5.2.4. The police do not require a warrant to conduct a search to ascertain whether alcohol is present in a container or a vehicle. A person must be informed that they have the opportunity to promptly remove a container or a vehicle containing alcohol from a restricted place, and the person shall be given a reasonable opportunity to do so.
- 5.2.5. For the avoidance of doubt, in circumstances where a person so informed has removed alcohol from a restricted place, and subsequently returns with alcohol to that restricted place within a period when it could be reasonably deemed that the person has been informed prior to remove the alcohol, this bylaw shall not be interpreted as in any way requiring the police to provide the person with a further opportunity to remove the alcohol from the restricted place prior to search.

6. Exemptions and Dispensations

- 6.1.1. This bylaw does not limit any individual or organisation (corporate or otherwise) from obtaining a Special Licence pursuant to section 137 of the Sale and Supply of Alcohol Act 2012, for any event to be held in a restricted place.

6.1.2. As provided for in section 147(4) of the Act, this bylaw does not prohibit, in the case of alcohol in an unopened bottle or unopened container:

- (a) The transport of the alcohol from licensed premises next to a public place, if—
 - (i) it was lawfully bought on those premises for consumption off those premises; and
 - (ii) it is promptly removed from the public place; or
- (b) The transport of the alcohol from outside a public place for delivery to licensed premises next to the public place; or
- (c) The transport of the alcohol from outside a public place to premises next to a public place by, or for delivery to, a resident of the premises or his or her bona fide visitors; or
- (d) The transport of the alcohol from premises next to a public place to a place outside the public place if—
 - (i) the transport is undertaken by a resident of those premises; and
 - (ii) the alcohol is promptly removed from the public place.

6.1.3. This bylaw does not prohibit the possession and/or consumption of alcohol at any premises within a restricted place in compliance with the conditions of a licence for the sale and/or consumption of alcohol under the Sale and Supply of Alcohol Act 2012. This includes footpath areas that are licensed as part of those premises and are clearly defined by the placement of tables and chairs outside those premises or an approved plan, and other areas, clearly defined and identified under an appropriate alcohol licence for an event or function at the time alcohol is being possessed or consumed.

6.1.4. In addition this bylaw does not prohibit the possession and/or consumption of alcohol within any premises detailed in Schedule 2, or the taking of sealed containers to or from those premises in conjunction with an event occurring there with the approval of the premises management or owner, provided any other alcohol licence requirements are complied with.

6.1.5. The Chief Executive of the Waipa District Council or a delegated staff member may, on application by any person (including a territorial authority employee), grant a dispensation to do or refrain from doing anything that would otherwise be in breach of this bylaw for the purpose of enabling possession and/or consumption of alcohol in a restricted place at any time.

6.1.6. Such a dispensation shall be granted only in respect of specific time periods and specific locations associated with an event, to enable better enjoyment of the event by members of the public, and may be subject to such conditions or requirements as the delegated staff member determines are necessary to meet the objectives of the Local Government Act 2002 and the Sale and Supply of Alcohol Act 2012.

- 6.1.7. In considering any such application, the delegated staff member responsible for making the decision shall obtain and consider a report from the police, and a Licensing Inspector, including any matters set out in that response.

6.2. Fees and charges

- 6.2.1. Fees for the issue of dispensations and other actions under this Bylaw are as set out in Council's Schedule of Fees and Charges.
- 6.2.2. Fees and Charges for the issue of dispensations and other actions under this Bylaw may be amended from time to time in accordance with section 150 of the Local Government Act 2002.

7. Revocation

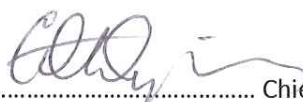
The Waipa District Council Public Places Liquor Control Bylaw 2008 is hereby revoked.

The foregoing Bylaw was made by the **WAIPA DISTRICT COUNCIL** by Special Consultative Procedure and confirmed at a meeting of Council held on 29 September 2015. This Bylaw becomes operative on the 9 October 2015.

IN WITNESS WHEREOF the Common Seal of the **WAIPA DISTRICT COUNCIL** was hereunto affixed pursuant to a resolution of Council passed on 9 October 2015 in the presence of:



 Mayor
Jim Mylchreest

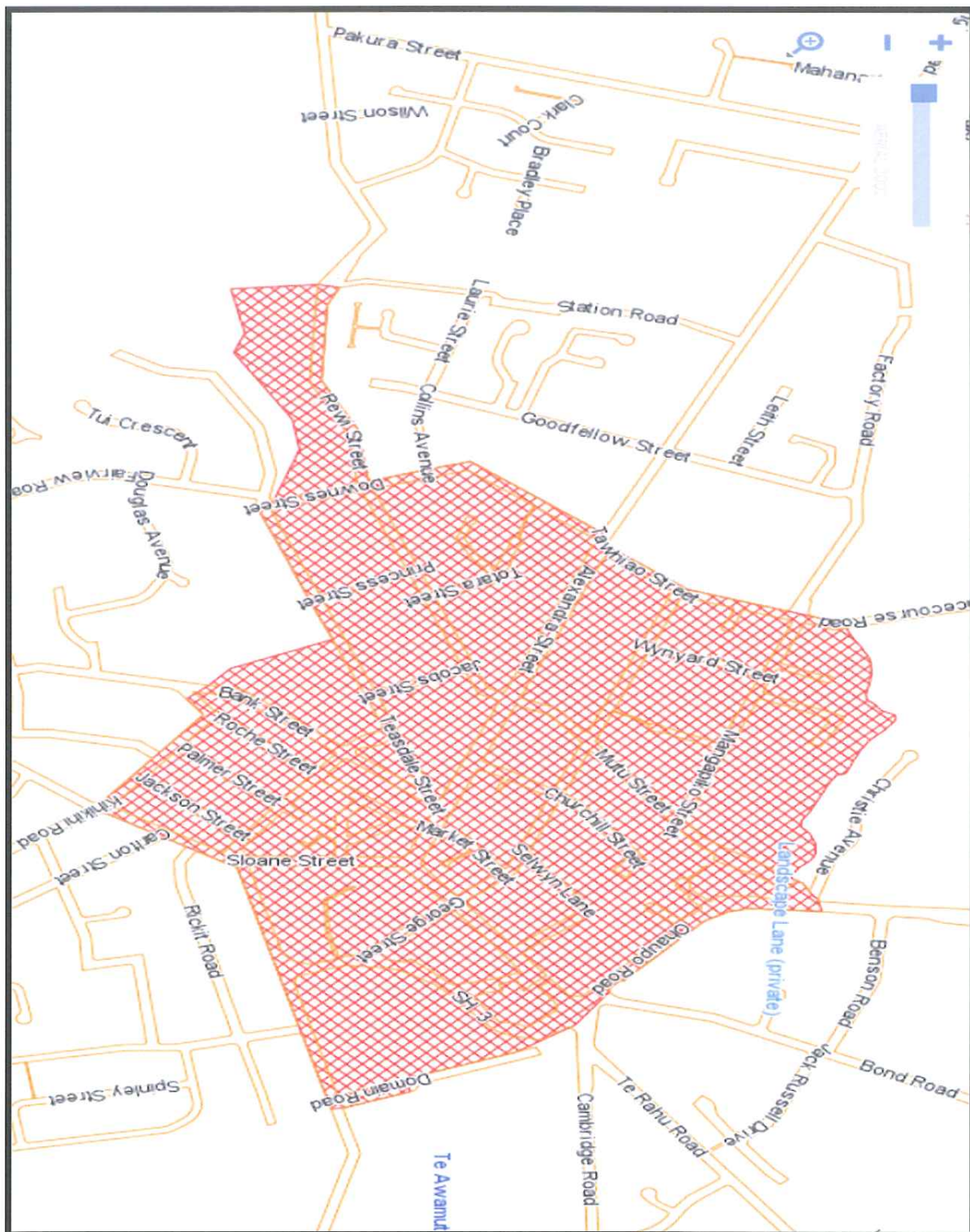
 Chief Executive
Garry Dyet

Schedule 1: Restricted Places

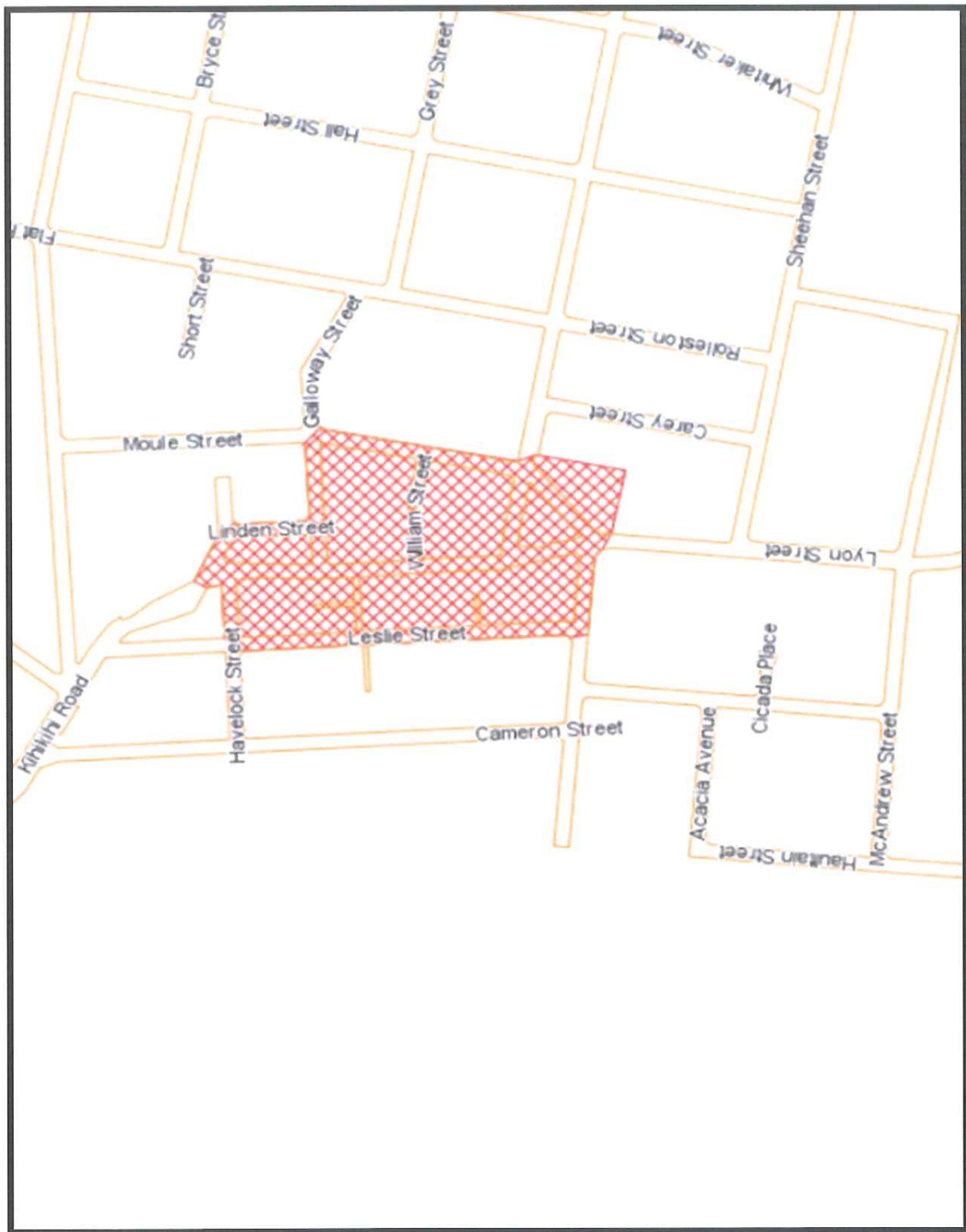
Public places within the following areas of Waipa District are restricted places for the purpose of this bylaw as shown by the hatched areas on the maps attached for

- Map A - Te Awamutu
- Map B - Kihikihi
- Map C - Cambridge
- Map D - Leamington

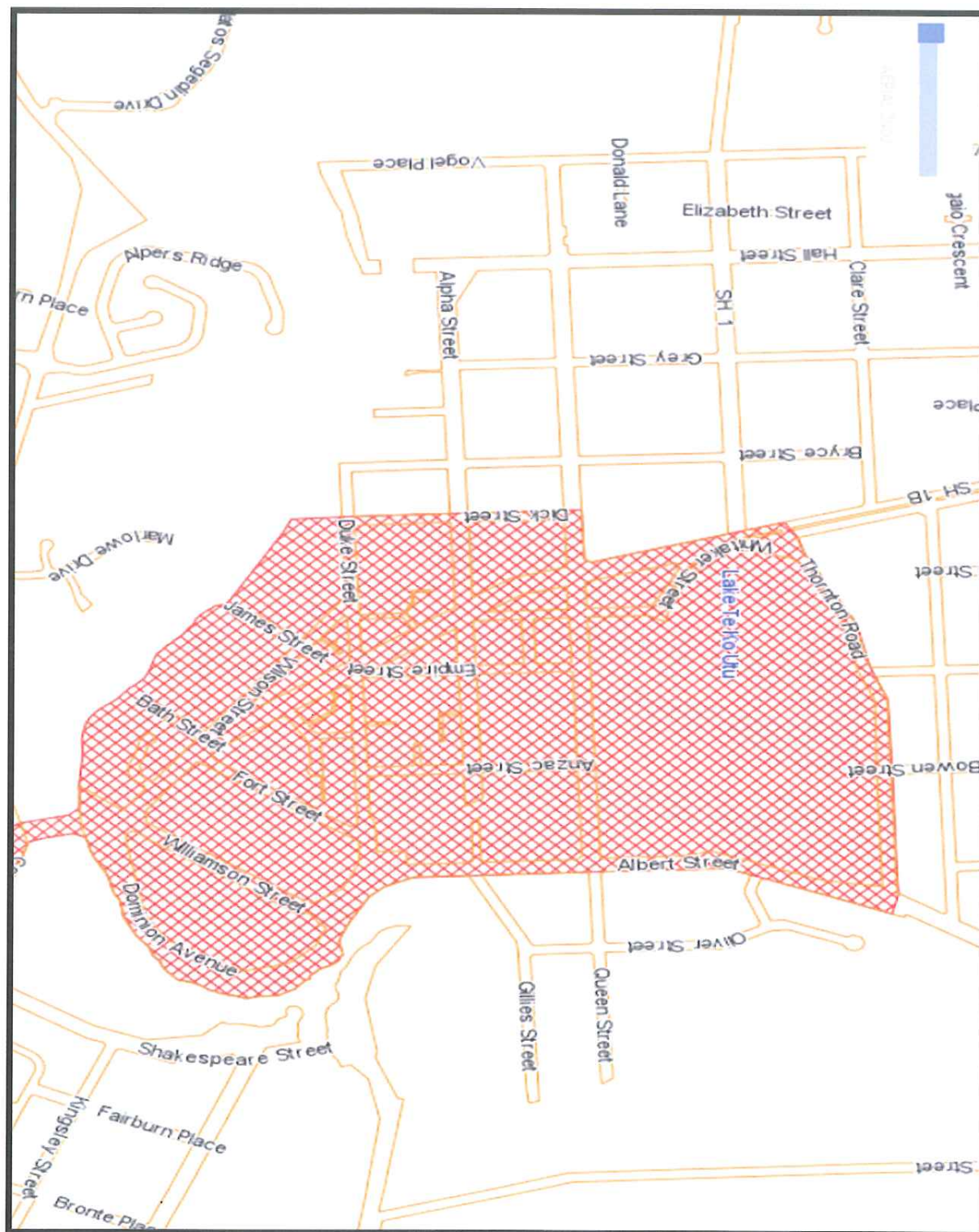
Map A – Te Awamutu



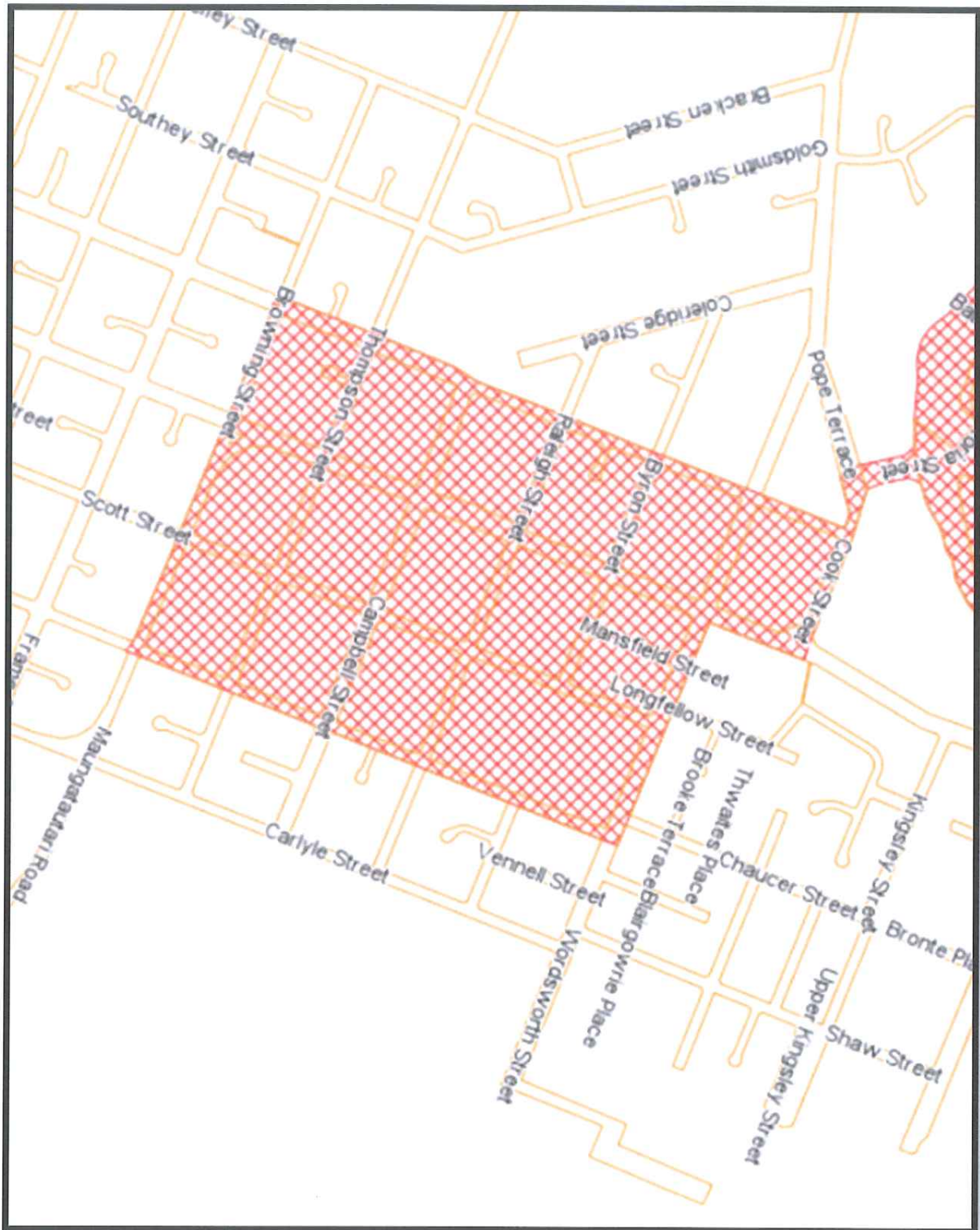
Map B – Kihikihi



Map C – Cambridge



Map D – Leamington



Schedule 2: Buildings excluded

Cambridge Town Hall, Queen Street Cambridge

Te Awamutu Events Centre, Selwyn Lane Te Awamutu

Waipa District Council Chambers and Committee Rooms, Bank Street Te Awamutu and Wilson Street Cambridge

APPENDIX 6

Local Alcohol Policy Background Report for Waipa District [*ECM Number 11185164*]

Local Alcohol Policy Review

Background Report for Waipā District

May 2023

All efforts have been made to have data current to May 2023. In many instances more recent data was not available.



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Version	Reason for Update	Date
1	Providing background information for Local Alcohol Policy review	May 2023
2	Updated to include changes to legislation	September 2023
3	Updated to include changes to legislation	February 2024

PART 1 - EXECUTIVE SUMMARY

Alcohol is generally a socially accepted drug in Aotearoa New Zealand society. Sports games, celebrations, commiserations, a quiet night at home, and a night out with friends are all common life events where a drink of alcohol would not go amiss. However, industry professionals have various degrees of what they believe is a safe amount of alcohol consumption. The Ministry of Health Manatū Hauora recommends limiting the amount of alcohol consumed¹, while the alcohol industry promotes drinking in moderation². Despite this, the World Health Organization recommends that drinking no amount of alcohol is best³. Drinking alcohol can lead to poor judgement, foetal alcohol spectrum disorder, physical or sexual assault, cancer, disease, and mental and neurological disorders. People also do not experience these risks equally, with people more likely to suffer alcohol related health and harm if they are male, Māori, Pacific, non-Asian, disabled, or more socio-economically deprived.

How Alcohol Regulation Works

The Sale and Supply of Alcohol Act 2012 (Act) is the primary form of alcohol regulation in Aotearoa New Zealand. The Act allows for territorial authorities (councils) to manage the sale, supply, and consumption of alcohol, as well as minimise alcohol related harm through a Local Alcohol Policy (LAP). LAPs are created by councils through consultation with the community, Police, Alcohol Licensing Inspectors and Medical Officers of Health. A LAP can only cover the following areas:

- The location of licensed premises by reference to broad areas.
- The location of licensed premises by reference to proximity to premises of a particular kind or kinds.
- The 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.
- The maximum trading hours.
- The issue of licences, or licences of a particular kind or kinds, subject to discretionary conditions.
- One-way door restrictions (after a certain time, patrons are allowed to stay on the premises or leave the premises but not re-enter).

Waipā District Council's current LAP came into effect in 2016. It is required to be reviewed every 6 years in accordance with the special consultative procedure. Any amendments to a LAP may only be made after having regard to the objectives and policies of the district plan, the number and type of licences, the location of licenced premises, opening hours, alcohol bylaws, demography of residents and visitors, health indicators, and the nature and severity of alcohol related problems.

¹ (Ministry of Health Manatū Hauora, 2022d)

² (Life Education Trust, n.d.; Lion, n.d.; The Tomorrow Project, n.d.)

³ (World Health Organization, 2023)

Waipā and Alcohol – licenses and harm

Waipā District currently has:

- **73 on-licences** (alcohol is allowed to be sold and supplied for consumption on the premises)
- **38 off-licences** (alcohol is allowed to be sold for consumption somewhere else)
- **29 club licences** (alcohol is allowed to be sold and supplied for consumption on the premises to a member of the club, a member's guest or an authorised visitor)

Nationally it is estimated that the most spending on alcohol is done at off-licence premises (approximately 75%)⁴, with most of that spending done on Fridays and Saturdays⁵. Data at a district level shows that most of the spending on alcohol in the district is by people from Waikato, with alcohol being available for purchase mostly between 9am to 10pm for off-licences, 10am to 11pm for on-licences, and club licence hours varying substantially depending on the nature of the club.

There are parts of the community who are more at risk of alcohol harm due to their likelihood of drinking hazardously or due to their current situation. The small amount of district level data makes it difficult to establish trends but national level trends appear showing that males, Māori, Pacific, non-Asian, disabled, or more socio-economically deprived people are more likely to be harmed by alcohol, appear to be present in Waipā. This is seen in the number of Emergency Department (ED) presentations. The ED presentation times also generally match the timings of alcohol and alcohol related crime incidents, with the amount increasing gradually in the evening and spiking in the late evening/early morning and Fridays, Saturdays and Sundays being the most common days.

Feedback from Police, Medical Officer of Health, and Licensing Inspectors

Police, Medical Officer of Health and Alcohol Licensing Inspectors have been asked for their initial thoughts on how the current LAP is working. Council is required by the Act to consult with the three regulating parties as their frontline knowledge of applying the regulations of the LAP provides useful insight into whether the current LAP is fit for purpose. The overall consensus among the three regulatory authorities is that the current LAP is not fit for purpose and that changes need to be made.

⁴ (Action Point, 2021)

⁵ (M.E Consulting, 2018)

VISION



COMMUNITY OUTCOMES



**SOCIALLY
RESILIENT**



**CULTURAL
CHAMPIONS**



**ENVIRONMENTAL
CHAMPIONS**



**ECONOMICALLY
PROGRESSIVE**

EXTERNAL STRATEGIC PRIORITIES

Our focus for the next three years



**CREATING
VIBRANT
COMMUNITIES**



**NURTURING AND
RESPECTING
OUR UNIQUE
CULTURE AND
HERITAGE**



**EFFECTIVELY
PLANNING AND
PROVIDING
FOR GROWING
COMMUNITIES**



**PREPARING
FOR CLIMATE
CHANGE**



**LEADING THE
RECOVERY OF
WAIPĀ**

PART 2 - INTRODUCTION

- 2.1.1 Local Alcohol Policies (LAPs) are the primary way local communities can have input into the alcohol landscape in their area. LAPs are optional through the Sale and Supply of Alcohol Act 2012 (Act). Territorial authorities (councils) who choose to have a LAP must review it every 6 years, with input on draft policies from the Police, Alcohol Licensing Inspectors and Medical Officers of Health.
- 2.1.2 Waipā District Council's LAP is due for review. This report has been compiled to help provide decision makers with a better understanding of regulations and attitudes towards alcohol and what this looks like in Waipā district. The report addresses points directly covered by the LAP but also touches on areas not directly within scope of the LAP to help provide context and understanding.
- 2.1.3 It is recommended to use the headings as guides and to read the reports provided by Police, Alcohol Licensing Inspectors and Medical Officers of Health attached as Appendixes B, C, and D.
- 2.1.4 Please see [Appendix A for Definitions](#).

2.2 Purpose

- 2.2.1 The purpose of this report is to provide background information on the current alcohol landscape in Waipā District and to meet the requirements of the Sale and Supply of Alcohol Act 2012 Section 78(2) – (4).

2.3 What the report covers

- 2.3.1 To help give a clear picture of the alcohol landscape in Waipā District and nationally, the report gives a brief explanation of the alcohol legislative system and industry. The explanation is followed by a look at the areas that Section 78(2) – (4) of the Act asks councils to have regard to when creating a draft LAP. These areas are:
- The Waipā District Council **District Plan** objectives and policies; and
 - The **number and type of licences**; and
 - **Location** of licenced premises;
 - **Opening hours** of licensed premises; and
 - Waipā District Council's Public Places Alcohol Control **Bylaw**; and
 - **Demography** of Waipā's residents and visitors; and
 - **Health indicators**; and
 - Nature and severity of **alcohol related problems**.

- 2.3.2 The final section provides information on key areas that should be considered within the Waipā situation and provides a summary of the initial feedback from Police, Medical Officers of Health and Alcohol Licensing Inspectors.

2.4 How the report was written

- 2.4.1 This report has been prepared using the following methods:

- Review and analysis of secondary data;
- Literature review and analysis; and
- Data and feedback from Police, Alcohol Licensing Inspectors, and Medical Officer of Health.

- 2.4.2 The primary sources of data for this report were:

- Police
- Medical Officers of Health for Waikato (Te Whatu Ora)
- Alcohol Licensing Inspectors
- Alcohol Healthwatch
- World Health Organization
- Ministry of Health Manatū Hauora

- 2.4.3 **All efforts have been made to have data current to May 2023. In many instances more recent data was not available. The current report reflects the information that Elected Members had available when making the decision to amend the Local Alcohol Policy in November 2023. The report has been updated as indicated below:**

- **September 2023** - to reflect the changes made by the Sale and Supply of Alcohol (Community Participation) Amendment Act 2023 and the Natural and Built Environment Act 2023.
- **February 2023** – to reflect the repeal of the Natural and Built Environment Act 2023

PART 3 - ALCOHOL AND US – ALCOHOL IN SOCIETY AND REGULATION IN AOTEAROA NEW ZEALAND

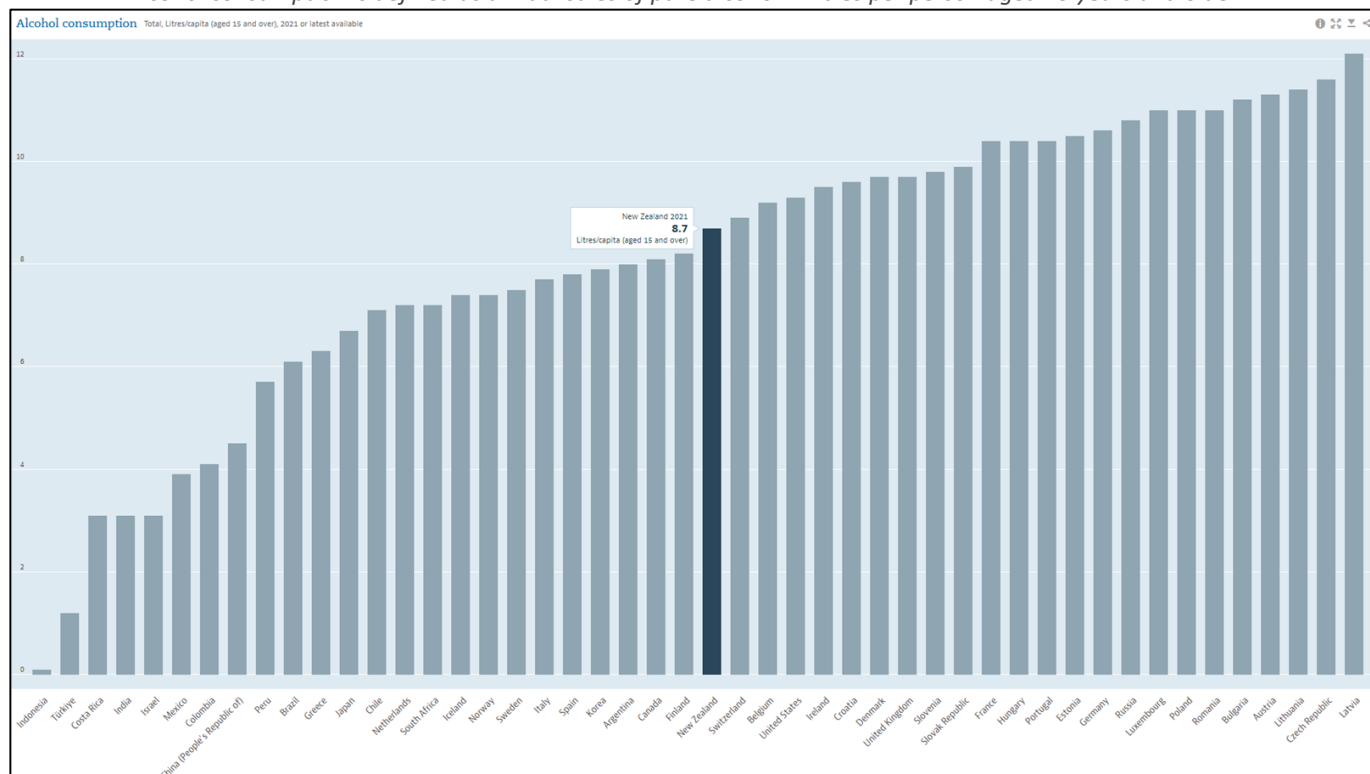
3.1.1 *The very first bill passed by New Zealand Parliament was aimed at, “Setting up a grog-shop for members”, as Legislative Councillor Frederick Whitaker called it. It was the 'Bellamy's Bill', the Licensing Amendment Act, that permitted the sale of alcohol within Parliament⁶.*

3.1.2 To understand where the LAP fits in the alcohol landscape in 2023 in Aotearoa New Zealand, it is important to understand the surrounding influences, such as how the country thinks about alcohol. The first bill passed by Parliament is an illustration of alcohol's position in Aotearoa New Zealand society and the politics that help shape it. Alcohol is accepted in Aotearoa New Zealand society much more than any other drug. Many people see alcohol as a requirement of a good night out and social participation, with the associated harm caused by alcohol a tolerated by product⁷.

3.1.3 The normalisation of alcohol and the associated harms should be kept in the forefront of the mind when reading this report as it helps explain why the current situation is what it is.

Figure 1: Alcohol consumption per capita⁸.

Alcohol consumption is defined as annual sales of pure alcohol in litres per person aged 15 years and older.



⁶ (Martin, 2014)

⁷ (Public Health Service, Te Whatu Ora – Waikato, 2023)

⁸ (OECD, 2023)

3.1.4 Alcohol is pervasive in Aotearoa New Zealand society. Sports games, celebrations, commiserations, a quiet night at home, a night out with friends are all common life events where a drink of alcohol would not go amiss. In 2021/22, 79.1 % of New Zealanders aged over 15 had at least one drink⁹. Among the OECD countries, Aotearoa New Zealand consumes 8.7 litres of pure alcohol per person every year, sitting between Finland (8.2 litres) and Switzerland (8.9 litres) (Figure 1).

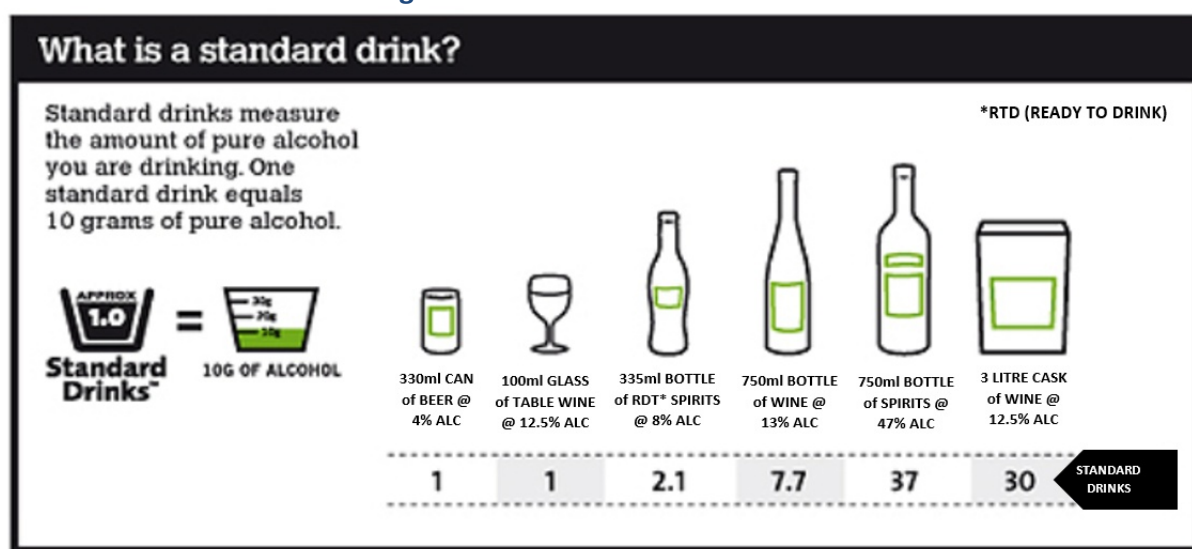
3.1.5 Ethyl alcohol (ethanol) is the part of alcoholic beverages that acts as a sedative and psychoactive drug¹⁰, which can cause people to feel more confident or relaxed¹¹ and can generally explain why some people drink. Ethanol is also classed as a Group 1 carcinogen¹², making alcohol a harmful drug. The Ministry of Health Manatū Hauora¹³ says long-term health risks from drinking alcohol reduce when:

Women drink no more than 2 standard drinks a day and no more than 10 standard drinks (see Figure 2) a week and at least 2 alcohol-free days every week.

Men drink no more than 3 standard drinks a day and no more than 15 standard drinks a week and at least 2 alcohol-free days every week.

Pregnant persons should not drink any alcohol.

Figure 2: What is a Standard Drink?¹⁴



⁹ (Ministry of Health Manatū Hauora, 2022c)

¹⁰ (Public Health Service, Te Whatu Ora – Waikato, 2023)

¹¹ (Public Health Service, Te Whatu Ora – Waikato, 2023)

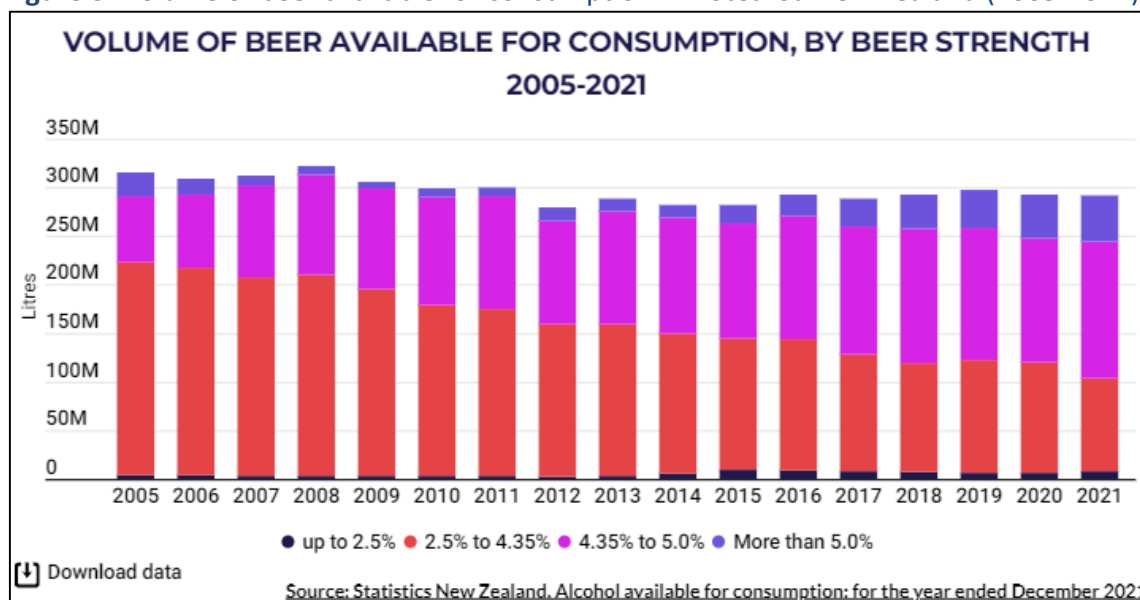
¹² (World Health Organization, 2023)

¹³ (Ministry of Health Manatū Hauora, 2022d)

¹⁴ (Ministry of Health Manatū Hauora, 2022d)

- 3.1.6 The alcohol industry also promotes drinking in moderation through initiatives such as Lion's Alcohol & Me¹⁵ and Life Education Trust NZ's Cheers!¹⁶ and Smashed ("workshops to engage students on the dangers of underage drinking")¹⁷. Currently, the alcohol industry is shifting towards producing high-quality products and the, "Development of no- and low-alcohol product ranges in response to consumer demand means New Zealanders have more options to meet their needs as part of the global shift toward moderation and what is termed 'better for me' beverages with preferences for lower alcohol, sugars and carbohydrates"¹⁸. Despite this move, the strength of beer being sold on average in Aotearoa New Zealand has increased (Figure 3).

Figure 3: Volume of beer available for consumption in Aotearoa New Zealand (2005-2021)¹⁹.



- 3.1.7 Many countries, like Aotearoa New Zealand, set these low-risk guidelines. However, the World Health Organization (WHO) does not set these limits²⁰.
- 3.1.8 ***WHO provides the advice that "drinking less alcohol is better for your health, but none is best"²¹ because evidence shows that drinking any alcohol is associated with risk such as alcohol dependence, breast cancer (which has a direct link for women) or injury²².***

¹⁵ (Lion, n.d.)

¹⁶ (The Tomorrow Project, n.d.)

¹⁷ (Life Education Trust, n.d.)

¹⁸ (NZIER, 2022)

¹⁹ (Action Point, 2021)

²⁰ (World Health Organization, 2023)

²¹ (World Health Organization, 2023)

²² (World Health Organization, 2023,4)

- 3.1.9 The combination of alcohol being a sedative and psychoactive drug, as well as a Group 1 carcinogen means that drinking alcohol not only impacts the individuals' health but can have wider impacts on family, friends, community or complete strangers.

3.2 Why is alcohol considered harmful?

- 3.2.1 The following section outlines the connection between drinking alcohol and health and harm problems. Despite the connections discussed in this section, the alcohol industry can be considered to be self-regulated to a degree. Alcohol products are one of the few food products not required to show ingredients on packaging (except when making a specific claim)²³ and the alcohol industry pushed back against labels indicating that alcohol should not be consumed during pregnancy²⁴. Central Government considered setting a limit of 6% alcohol content for RTDs (ready-to-drink) but instead switched to allowing the industry to set their own limits²⁵ through the Voluntary Industry Code for RTDs. The Code limits the alcohol content to 7% or two standard drinks per single serve²⁶. Alcohol sponsorship and advertising is regulated in part by the Sale and Supply of Alcohol Act 2012, labelling and nutritional health regulations and partly by the voluntary Alcohol Advertising and Promotion Code²⁷.
- 3.2.2 The alcohol related health problems and harm discussed in this section show why drinking alcohol can be considered harmful. It is also noted that everyone does not experience these problems and harms equally. Some of these points are well known, and even commonly associated with having a good time.

3.2.3 Who is drinking Alcohol?

- **Males** are 1.1 times as likely as females to have consumed alcohol in the past 12 months²⁸.
- 23% of women consume alcohol during **pregnancy**²⁹.
- A survey of **youth** found that 22% consumed five or more drinks within 4 hours within the last 4 weeks. Binge drinking also increased with age as this percentage increased to 42% in the 17+ age group³⁰.
- **People who live in areas of high deprivation** are less likely to have consumed alcohol in the past 12 months³¹; however, they are 1.05 times more likely to consume in a hazardous fashion, and 1.15 times more likely to have consumed 6 or more drinks on a single occasion on a weekly basis³².

²³ (food Standards Australia and New Zealand, n.d.)

²⁴ (New Zealand Food & Grocery Council, 2019)

²⁵ (Hartevelt, 2012)

²⁶ (Distilled Spirits Association of New Zealand, n.d.)

²⁷ (Advertising Standards Authority, 2021)

²⁸ (Ministry of Health Manatū Hauora, 2022c)

²⁹ (Rossen et al., 2018)

³⁰ (Fleming et al., 2020)

³¹ (Ministry of Health Manatū Hauora, 2022c)

³² (Ministry of Health Manatū Hauora, 2022a)

- A similar pattern of drinking is observed in **Māori and Pasifika** communities, likely resulting from their minority and marginalised status and subsequent exposure to socioeconomic deprivation. Māori are more likely to suffer from alcohol related harm than non-Māori including 2.5 times the age-standardised mortality rate³³.
- Though alcohol consumption is spread diffusely across society the volume and related harms are more concentrated in certain groups such as **lower socioeconomic groups and ethnic minorities** internationally³⁴.

3.2.4 *Acute alcohol effects*

- 3.2.5 In the short term, drinking alcohol at low doses can act as a stimulant (which is one of the appeals of drinking for many). Low doses of alcohol in the short term can result in a shortened attention span, impaired judgement and increase self-confidence while at the same time decreasing fine motor skills and balance. This can result in a higher chance of certain injuries and illnesses. Implications of this could include distraction while driving leading to a crash or an individual making a poor judgement while drunk, for example, getting into a car with a drunk driver, or overreacting to a perceived insult, which results in a physical altercation³⁵.
- 3.2.6 Drinking alcohol at high doses in the short term can lead to impaired memory and senses, delayed reaction time, difficulty balancing, nausea, and vomiting. This can cause a person to be at a higher risk of injuring themselves and those around them. Even if an individual makes it to bed without injury, when severely intoxicated they are at risk of vomiting in their sleep and aspirating their vomit. Effects from drinking alcohol at higher doses can continue after the drinking has stopped with hangovers, which can result in poor reactions, attention and motor skills, and an ongoing increased risk of injury. Productivity in the workplace is also decreased³⁶.

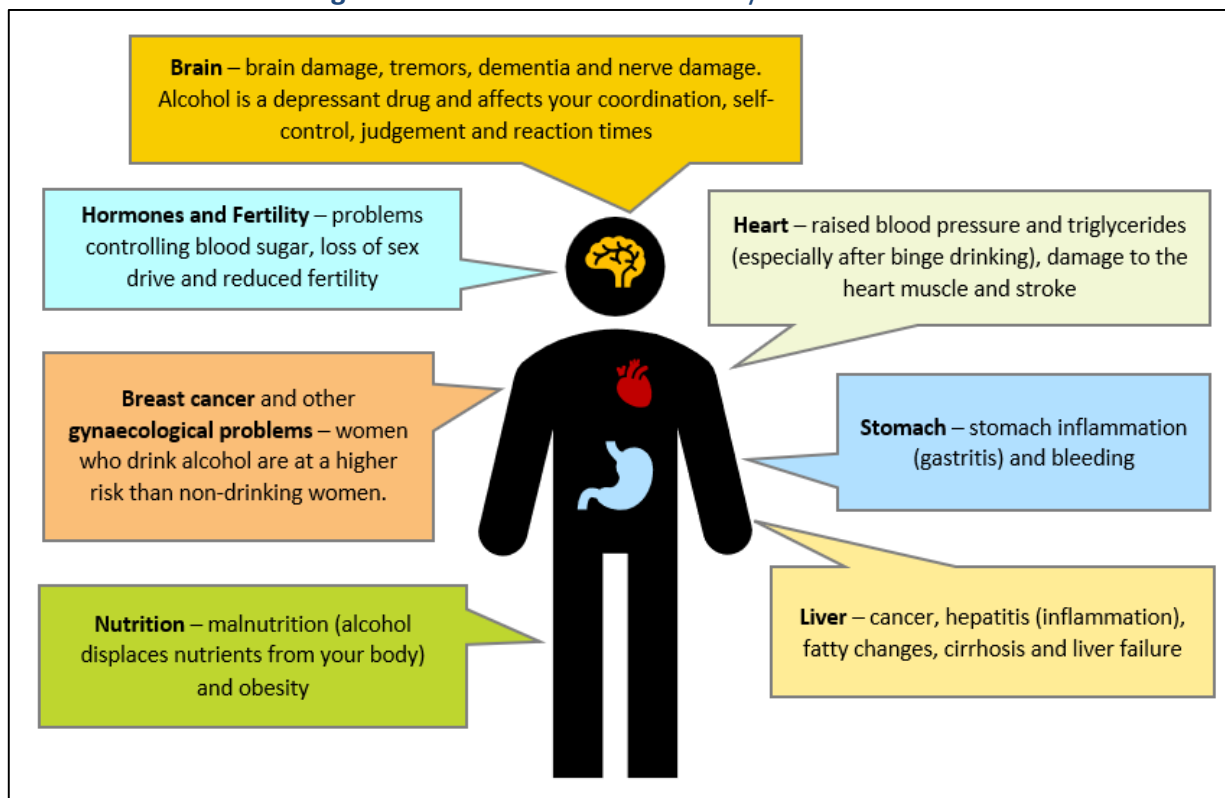
³³ (J. Connor et al., 2015)

³⁴ (*Global Status Report on Alcohol 2004*, 2004)

³⁵ (Public Health Service, Te Whatu Ora – Waikato, 2023)

³⁶ (Public Health Service, Te Whatu Ora – Waikato, 2023)

Figure 4: The effects of alcohol on your health³⁷.



3.2.7 Foetal alcohol spectrum disorder (FASD)

3.2.8 When a pregnant woman drinks alcohol, the alcohol can pass directly to the foetus. This can lead to miscarriage or spontaneous abortion, stillbirth, low birth weight and FASD. Children and adults with FASD can have physical, behavioural and cognitive abnormalities³⁸, which can cause behavioural problems, a low IQ and learning difficulties³⁹.

3.2.9 According to Penfold and Cleave (2022), there has never been a study conducted in Aotearoa New Zealand but studies from overseas suggest that 17 to 25% of prisoners could have FASD. The Ministry of Health Manatū Hauora estimates that the cost of prosecution, imprisonment, poor educational outcomes, mental health and substance abuse issues, benefit dependence and premature mortality as a result of FASD “is at least \$450 million, with up to a further \$200 million per year in lost productivity”⁴⁰.

³⁷ (Ministry of Health Manatū Hauora, 2022e)

³⁸ (Committee on Substance Abuse and Committee on Children With Disabilities, 2000)

³⁹ (Global Status Report on Alcohol 2004, 2004)

⁴⁰ (Penfold & Cleave, 2022)

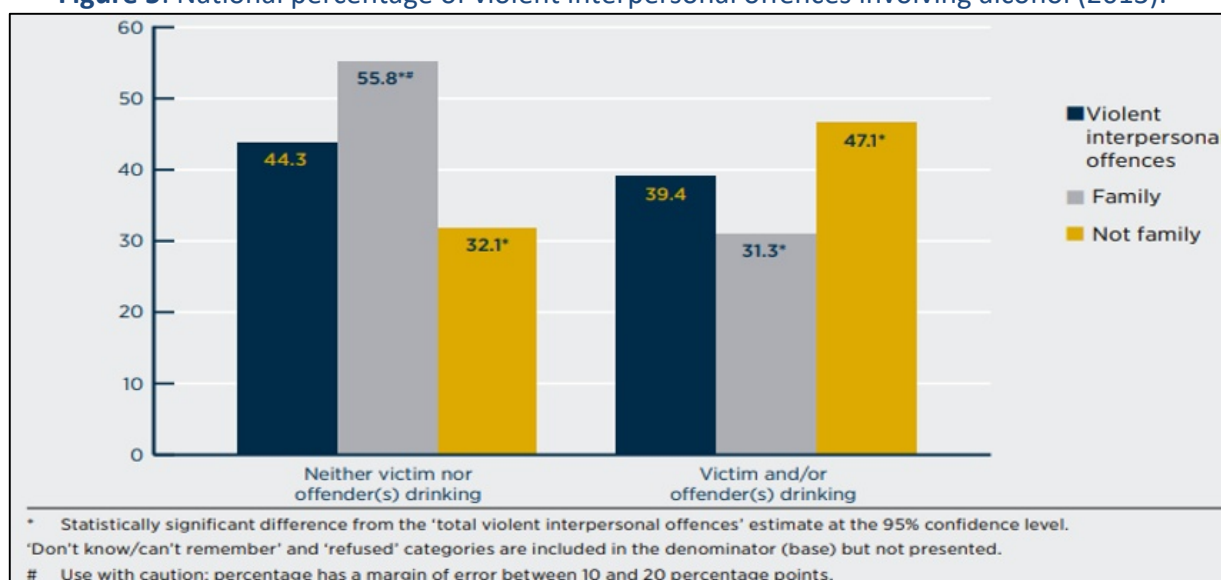
3.2.10 Māori appear to be particularly over represented when it comes to suffering from FASD. While Māori only make up 16% of Aotearoa New Zealand's population, 60% of children in state care are Māori, with half the children who go into Oranga Tamariki care estimated to have FASD, mostly undiagnosed and untreated, an issue that appears to be intergenerational⁴¹.

3.2.11 Sexual and Physical Assault

3.2.12 According to Police statistics:

- Alcohol is the most common drug used to assist sexual assault⁴². This can also result in sexually transmitted disease in both men and women, with women having the added risk of an unwanted pregnancy⁴³.
- Nearly 40% of violent offences between people in 2013 were known to involve alcohol, with the offender being more likely to offend against non-family members (Figure 5, note that this is the most recent survey as of June 2023)⁴⁴.
- Half of family violence incidents in 2018 involved alcohol and/or other drugs⁴⁵.

Figure 5: National percentage of violent interpersonal offences involving alcohol (2013).



⁴¹ (Penfold & Cleave, 2022)

⁴² (New Zealand Police, n.d.)

⁴³ (Public Health Service, Te Whatu Ora – Waikato, 2023)

⁴⁴ (Ministry of Justice, 2014)

⁴⁵ (Ministry of Justice, 2022)

3.2.13 *Cancer*

3.2.14 Alcohol is a group one carcinogen, meaning that the association between alcohol and cancer is strongly supported by evidence⁴⁶. Drinking alcohol raises the chance of developing cancer in 27 different areas of the body, including cancer of the mouth, oesophagus, stomach, liver and colon and rectum⁴⁷. Perhaps not as commonly known is that there is a direct link between women drinking alcohol and developing breast cancer⁴⁸.

3.2.15 *Disease*

3.2.16 Heart disease causes 19.8% of all alcohol caused deaths. Heart disease (cardiovascular disease) can present in a variety of ways, including heart attacks, strokes, hypertension, heart failure and cardiac arrhythmias such as atrial fibrillation⁴⁹.

3.2.17 Drinking alcohol over the long term or drinking heavily can cause liver and heart disease and inflammation of the pancreas. Almost all heavy drinkers will have a degree of fatty liver disease, which is usually reversible unless heavy drinking continues. If heavy drinking continues it can lead to inflammation of the liver and eventually scarring of the liver (cirrhosis). Alcohol is one of the leading causes of liver cirrhosis in developed countries⁵⁰.

3.2.18 *Mental health and neurological disorder*⁵¹

3.2.19 Alcohol can reduce stress and tension in low dose, and indeed this is one of its attractions to many. However, in higher doses it can create, rather than relieve, stress, and can make people sad, aggressive or prone to mood swings. Alcohol is commonly consumed by people before they self-harm or attempt suicide⁵². Heavy alcohol use is associated with a 37-fold increased risk of suicide⁵³. Alcohol use can lead to dependence, with withdrawal symptoms (including delirium tremens) in people who abruptly abstain, and difficulties maintaining a job or social relationships in people who are addicted.

3.2.20 Alcohol dependent individuals have been shown to have a two-fold increased risk of depressive disorders⁵⁴. Alcohol use is not only a cause of depression, but it also worsens symptoms in depressed people, demonstrated by an improvement of symptoms with abstinence and worsening of symptoms with increased consumption.

⁴⁶ (Public Health Service, Te Whatu Ora – Waikato, 2023)

⁴⁷ (Baan et al., 2007)

⁴⁸ (Baan et al., 2007; World Health Organization, 2023)

⁴⁹ (Public Health Service, Te Whatu Ora – Waikato, 2023)

⁵⁰ (Public Health Service, Te Whatu Ora – Waikato, 2023)

⁵¹ (Public Health Service, Te Whatu Ora – Waikato, 2023)

⁵² (*Global Status Report on Alcohol 2004*, 2004)

⁵³ (World Health Organization, 2018)

⁵⁴ (World Health Organization, 2018)

- 3.2.21 Alcohol use is also linked to poorer control of psychiatric conditions such as anxiety and schizophrenia and neurological conditions such as epilepsy. Chronic alcohol abuse can lead to peripheral neuropathy (loss of feeling in hands and feet) and damage to areas of the brain, which are responsible for speech generation, vision, memory and balance (Wernicke-Korsakoff syndrome).

3.3 How Alcohol Regulation Works

- 3.3.1 The main form of alcohol regulation in Aotearoa New Zealand is the Sale and Supply of Alcohol Act 2012 (Act). Amongst other things, the Act sets the rules around the sale, supply and consumption of alcohol, with the object of the Act being -

- (a) the sale, supply, and consumption of alcohol should be undertaken safely and responsibly; and
- (b) the harm caused by the excessive or inappropriate consumption of alcohol should be minimised.

The harm caused by the excessive or inappropriate consumption of alcohol in this case includes —

- (a) any crime, damage, death, disease, disorderly behaviour, illness, or injury, directly or indirectly caused, or directly or indirectly contributed to, by the excessive or inappropriate consumption of alcohol; and
- (b) any harm to society generally or the community, directly or indirectly caused, or directly or indirectly contributed to, by any crime, damage, death, disease, disorderly behaviour, illness, or injury of a kind described in paragraph (a).

3.3.2 Local Alcohol Policies – Providing the community a voice on alcohol regulation

Section 75 of the Sale and Supply of Alcohol Act 2012

- (1) Any territorial authority may have a policy relating to the sale, supply, or consumption of alcohol within its district (or to 2 or all of those matters).*
- (2) A local alcohol policy—*
 - (a) may provide differently for different parts of its district; and*
 - (b) may apply to only part (or 2 or more parts) of its district; and*
 - (c) may apply differently to premises for which licences of different kinds are held or have been applied for.*
- (3) A local alcohol policy must be produced, adopted, and brought into force, in accordance with this subpart.*
- (4) No territorial authority is required to have a local alcohol policy.*

3.3.3 The Act gives territorial authorities (councils) the option to have a Local Alcohol Policy (LAP) and sets the system around how these will be implemented and enforced (Figure 6). LAPs are created by councils through consultation with the community, Police, Alcohol Licensing Inspectors and Medical Officers of Health. The three regulatory entities each have their own roles in the regulation of alcohol which are explained in Table 1.

3.3.4 A LAP can only cover the following areas:

- The location of licensed premises by reference to broad areas.
- The location of licensed premises by reference to proximity to premises of a particular kind or kinds.
- The 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
- The maximum trading hours.
- The issue of licences, or licences of a particular kind or kinds, subject to discretionary conditions.
- One-way door restrictions (after a certain time, patrons are allowed to stay on the premises or leave the premises but not re-enter).

Figure 6: How alcohol sales are regulated.

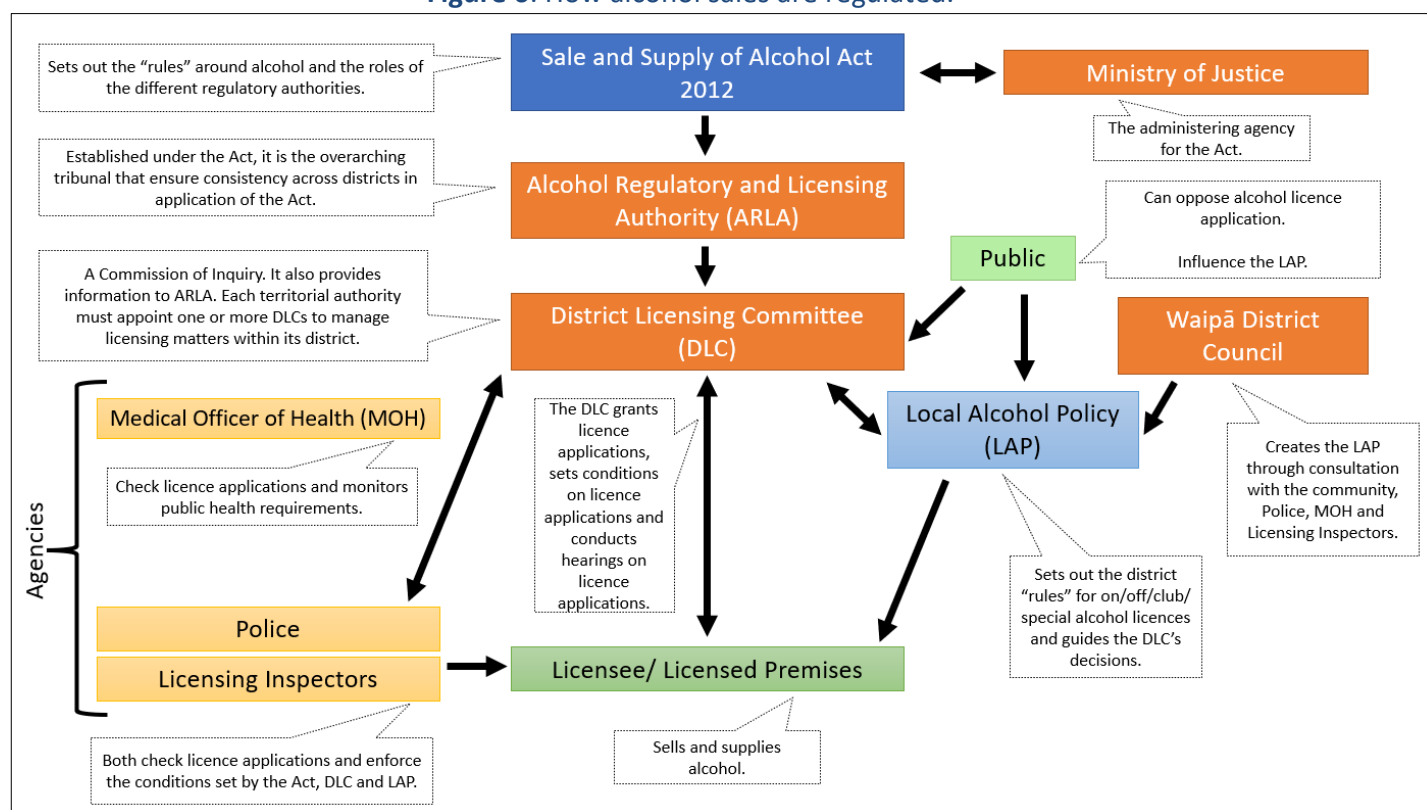


Table 1: Regulatory Authority Roles⁵⁵.

Regulatory Agency	Role
Alcohol Regulatory and Licensing Authority (ARLA)	ARLA acts as a “court” for matters relating to the Act, much as the Environment Court is for matters relating to the Resource Management Act 1991. It has up to three district court judges (one of whom will be the Chair) and any number of other members. Functions for ARLA include: • Determining applications for new and renewed licences and Manager’s Certificates that have been referred to it by DLCs. • Determining appeals against decisions of DLCs. • Draft local alcohol policies. • Giving direction or statements to DLCs. • Advising people of the appropriate DLC to go to. • Referring matters to DLCs for enquiry and report. • Determining enforcement applications - variation, suspension or cancellation of licences and Managers’ Certificates.
District Licensing Committee (DLC)	The DLC consists of three members. Each territorial authority (council) must appoint one or more DLCs to manage licensing matters within its district. Functions of the DLC include: • Determining applications for licences, managers’ certificates and renewals. • Determining temporary authority applications (on/off-licences). • Varying, suspending or cancelling special licences. • Referring applications to ARLA. • Conducting inquiries and making reports as required by ARLA.
Police	Police have power of entry to any licensed premises at any reasonable time and may require to see the licence or any records required to establish compliance with the Act. They may also seize alcohol and containers without a warrant for the purpose of analysis. Functions of the police include: • enquiring into all applications for licences, manager’s certificates and renewals; • monitoring licensed premises’ compliance with the Act • reporting to the DLC or ARLA where there are matters in opposition; • ordering the closure of a licensed premises in the case of rioting, fighting or serious disorder, a threat to public health, public nuisance or for certain criminal offences;

⁵⁵ (Te Hīringa Hauora/ Health Promotion Agency, n.d.)

	• applying to ARLA for the variation, suspension or cancellation of a licence; • advising ARLA when a licensee or manager has been convicted of an offence relating to the sale and supply of alcohol to minors, unauthorised sale or supply, sale or supply to intoxicated persons, or allowing persons to become intoxicated; • issuing infringement notices; • prosecuting breaches of the law.
Medical Officer of Health (MOH)	The Medical Officer of Health is a medical practitioner suitably qualified and experienced in public health medicine and reports directly to the Director-General of Health⁵⁶. Functions of the Medical Officer of Health include: • enquiring into all applications for licences and renewals; • making reports to DLC or ARLA where there are matters in opposition; • providing information for development of LAPs; • applying to DLC for suspension of an on-licence or a club licence where there is evidence of non-compliance with public health requirements.
Alcohol Licensing Inspector	The chief executive of each council must appoint one or more Licensing Inspectors within its district. Inspectors have power of entry to any licensed premises at any reasonable time and may require to see the licence or any records to establish compliance with the Act. Functions of the Licensing Inspector include: • enquiring into all applications for licences, managers' certificates and renewals; • monitoring licensed premises' compliance with the Act reporting to the DLC or ARLA; • appearing and being heard at ARLA and DLC hearings, appeals and other matters; • applying to ARLA for variation, suspension and cancellation of licences and Managers' Certificates; • making appeals to ARLA issuing infringement offence notices; • providing information for development of local alcohol policies; • exercising the power to seize alcohol and containers without a warrant for the purpose of analysis.

⁵⁶ Section 7A of the Health Act 1956

3.3.5 In October 2022, 41 of the 67 councils have LAPs, accounting for 35% of the country's population. Of the 67 councils:

- 15 have not developed a LAP to a draft or provisional stage
- Six have developed a LAP to a draft or provisional stage
- Five have halted or abandoned provisional LAPs following appeal⁵⁷.

3.3.6 It is possible that the reason not all councils have developed a LAP is due to the appeals process, which has now been repealed.

3.3.7 *Changes to the Local Alcohol Policy process*

3.3.8 A landmark decision was made in early May 2023, with the Supreme Court ruling against Woolworths and Foodstuffs' appeal of the Auckland Provisional LAP. The Auckland Provisional LAP was held up for six years following an appeal by Woolworths and Foodstuffs on the ground that the proposed maximum trading hours and restrictions on new off-licences were unreasonable in light of the object of the Act. This has wider implications for providing evidence during the LAP process as the Supreme Court clarified several aspects of the process, possibly resulting in a streamlined LAP process in the future⁵⁸.

3.3.9 Another change was made in August 2023, with the Sale and Supply of Alcohol (Community Participation) Amendment Act 2023 being adopted and making several changes to the LAP process.

3.3.10 Changes in force from 31 August 2023:

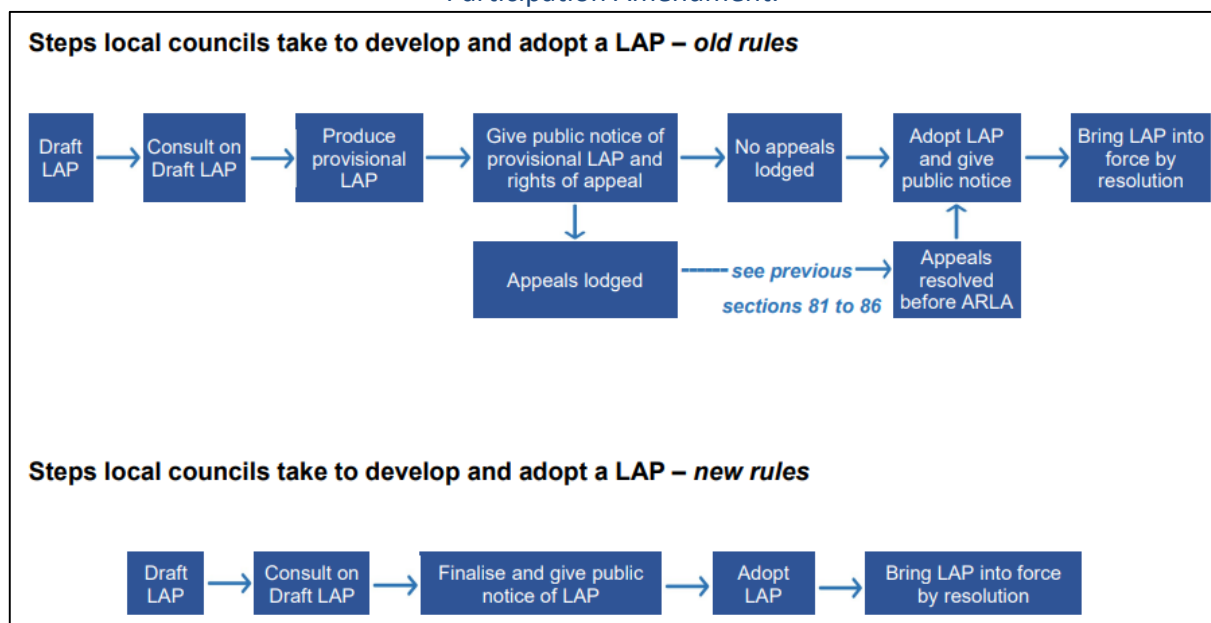
- remove the ability for people to appeal provisional local alcohol policies (LAPs) to the Alcohol Regulatory and Licensing Authority (ARLA)
- enable district licensing committees (DLCs) and ARLA to decline to renew a licence if the licence would be inconsistent with conditions on location or licence density in the relevant LAP, and
- allow any person to object to licence applications, whether as an individual or a representative of a group or an organisation, with narrow exceptions for trade competitors and their surrogates.

3.3.11 Changes in force from 30 May 2024:

- The second set of changes impact licensing hearings and do not impact the LAP process.

⁵⁷ (Beehive, 2022)

Figure 7: Comparison of LAP process before and after the adoption of the Community Participation Amendment.



ALCOHOL AND WAIPĀ

The following section provides information as required by the Act in Sections 75 – 78 and related sections.

The Act divides alcohol licences into different types, which is the primary way licences are distinguished and regulated. The four different licences are as follows:

3.3.12 On-licences

3.3.13 An on-licence allows the licensee to sell and supply alcohol for consumption on the premises as well as let people consume alcohol on the premises which applies to, for example, BYO (bring your own) restaurants and caterers.

There are currently 73 On-Licences held in the Waipā district.

3.3.14 Off-licences

3.3.15 On the premises an off-licence is held for, the licensee can sell alcohol for consumption somewhere else. An off-licence can also apply to situations where

- Alcohol is being delivered.
- The distributor, importer, manufacturer, or wholesaler of any alcohol can deliver the alcohol from its own premises.
- When selling alcohol as an auctioneer.

There are currently 38 Off-Licences held in the Waipā district.

3.3.16 Club licences

3.3.17 On the premises a club licence is held for, the licensee can sell and supply alcohol for consumption there to a member of the club, a visitor there at the invitation of a member, or an authorised visitor⁵⁹. Examples of situations where a club licence is used is at an RSA or rugby club.

There are currently 29 Club Licences held in the Waipā district.

3.3.18 Special licences

3.3.19 Special licences are held for specific events described in the licence. There are 2 kinds of special licence: on-site special licences and off-site special licences. Examples of situations where special licences apply are a food and wine festival, or a concert.

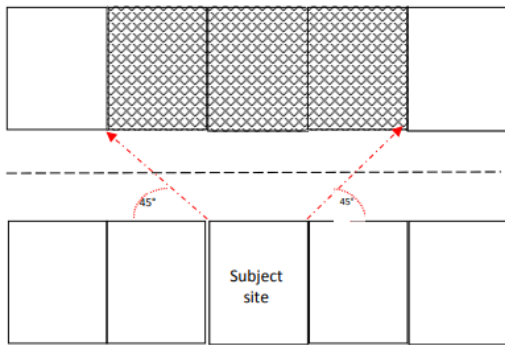
⁵⁹ **Authorised visitor**, in relation to premises a club licence is held for, means a member of some other club with which the club concerned has an arrangement for reciprocal visiting rights for members.

3.4 Waipā's Current Local Alcohol Policy

Table 2: The 2016 Waipa District Council LAP.

Policy Condition – Section 77	Default Conditions as set by the Act	Waipā 2016 LAP Conditions
Location of licensed premises by reference to broad areas	No default conditions	<i>Off-licence</i> New off-licence premises are limited to areas zoned to allow commercial activities as permitted activities, unless authorised by resource consent.
	No default conditions	<i>On-licence</i> New on-licence premises are limited to areas zoned to allow commercial activities as permitted activities.
	No default conditions	<i>Club licence</i> Premises should be located at, or in close proximity to, the sports grounds or other facilities used by the club, if relevant.
Location of licensed premises by reference to proximity to premises of a particular kind or kinds	No default conditions	<i>Off-licence</i> The District Licensing Committee has regard to the proximity to other off-licensed premises when considered relevant. Premises being licensed for the first time, holding both an on and off licence • separate point of sale and supply for the off licence if a totally separate area or premises is not practical.
	No default conditions	<i>On-licence</i> The District Licensing Committee has regard to the proximity to other licensed premises when considered relevant.
	No default conditions	<i>Club licence</i> The District Licensing Committee has regard to the proximity to other licensed premises when considered relevant.
Location of licensed premises by reference to proximity to facilities of a particular kind or kinds	No default conditions	<i>Off-licence</i> • No <u>new off-licence</u> within commercial areas on any site where the site frontage directly borders (at the time of application) any: ○ school ○ early childcare facility ○ place of worship

		Unless demonstrated that the hours, external alcohol related signage or operation of the premises will have no significant impact on facilities and/ or persons using those facilities. - In cases where a <u>resource consent</u> is required to locate premises outside of commercially zoned areas, the boundary of the site shall be a minimum of 40 metres from the boundary of any existing - school, - early childcare facility - or place of worship Unless demonstrated that the hours, external signage or operation of the premises will have no significant impact on facilities and/ or persons using those facilities. - the District Licensing Committee shall have regard to the proximity to - public park, - car park - reserve particularly where that park, car park or reserve is within a restricted place prescribed by the Public Places Alcohol Control Bylaw.
	No default conditions	<i>On-licence</i> - No new on-licence issued on any site where the site directly borders any existing; - school - early childcare facility - place of worship unless no significant impact on those facilities

		Figure 8: Diagram of "directly border".  Boundary of the site shall be a minimum of 40 metres from the boundary of any school, early childcare facility, or place of worship existing at the time unless no significant impact on those facilities
	No default conditions	<i>Club licence</i> The District Licensing Committee shall have regard to the proximity of any proposed new club premises to any: ○ school ○ early childcare facility ○ place of worship ○ residential area.
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	No default conditions	No limit on number of licences.
Maximum trading hours	<i>Off-licence</i> Between 7am and 11pm on any day	<i>Off-licence</i> Monday to Sunday 7.00am to 10.00pm
	<i>On-licence</i> 8am on any day and 4am on the next day	<i>On-licence</i> Hotel, tavern - Monday to Sunday 9.00am to 2:00am the following day. Hotels - alcohol may be sold or supplied at anytime to any guest residing on the premises.

		Hotel, tavern or other premises where principle activity is provision of alcohol is proposed within 100 meters of Residential Zone: • Sunday to Thursday 9:00am to 10.30pm • Friday and Saturday 9.00am to 12.00 midnight. • Hotels - alcohol may be sold or supplied at anytime to any guest residing on the premises. Restaurant, café or function centre • Monday to Sunday 7.00am to 1.00am the following day. Any outdoor dining area: • 9.00am to 11.00pm on any day. • Outside of these hours the Public Places Alcohol Control Bylaw restrictions shall apply to any premises within a restricted place. Any other premises not defined above: • Monday to Sunday 9:00am to 1.00am the following day.
	<i>Club licence</i> 8am on any day and 4am on the next day	<i>Club licence</i> • Monday to Sunday 9.00am to 1.00am the following day • The District Licensing Committee will have regard to the days and hours of operation, and the type of activities undertaken by the club, in setting club hours.
The issue of licences, or licences of a particular kind or kinds, subject to discretionary conditions	No default conditions	<i>Off-licence</i> District Licensing Committee may impose discretionary conditions related to the following: • Prohibited persons • People or kinds of people to be served • Kinds of alcohol to be sold • Display of nationally consistent safe drinking messages and material • Application of Crime Prevention Through Environmental Design (CPTED) principles: ○ CCTV ○ Lighting ○ Internal layout ○ Staff

		50% of any store front glazing shall be transparent 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. - External signage must comply with the signage requirements outlined in the Waipa District Council District Plan.
	No default conditions	<i>On-licence</i> District Licensing Committee may impose discretionary conditions related to the following: - Prohibited persons - Management of premises - People or kinds of people to be served - Low and non-alcoholic beverages - Transport options - Exclusion of the public
	No default conditions	<i>Club licence</i> District Licensing Committee may impose discretionary conditions related to the following: - Prohibited persons - Management of premises - People or kinds of people to be served - Low and non-alcoholic beverages - Transport options - Exclusion of the public
One-way door restrictions	No default conditions	<i>Off-licence</i>
	No default conditions	<i>On-licence</i> Hotel or tavern premises with a closing time later than midnight one-hour prior to maximum closing time may be applied on Thursday, Friday and Saturday nights.
	No default conditions	<i>Club licence</i> No earlier than two hours before the normal closing time of the premises.

3.5 Waipā District Plan Objectives and Policies

Section 78(2)(a) of the Sale and Supply of Alcohol Act 2012

(2) When producing a draft policy, a territorial authority must have regard to—

(a) the objectives and policies of its district plan.

Section 93(1) – (2) of the Sale and Supply of Alcohol Act 2012

(1) A local alcohol policy may contain a policy more restrictive than the relevant plan district plan.

(2) A local alcohol policy does not authorise any thing forbidden by the relevant plan district plan.

3.5.1 The Waipa District Plan is a key document for the district. It contains policy guidance and rules on development and subdivision and also seeks to protect important buildings, landscapes and natural areas. A summary of the District Plan objectives and policies for each zone is provided in Table 3.

3.5.2 Currently, new licence premises are limited to areas zoned to allow commercial activities as permitted activities, unless authorised elsewhere by resource consent under the Waipa District Plan and if the premises meets the location requirements under the LAP.

3.5.3 Alcohol consumption is permitted anywhere in the district with the exception of those areas identified in the Waipa District Council Public Places Alcohol Control Bylaw 2015 (Section 3.7) and some reserve management plans. Where alcohol is consumed as per the conditions of a licence in a public place (such as a sidewalk), this area must be indicated through the use of barriers.

Table 3: Waipa District Plan Zone Objectives and Policies Summary.

Zone	Summary of Relevant Objectives and Policies
Residential	To maintain and enhance existing character and amenity of the Residential Zone through: • restricting noise; and • restricting non-residential activities; and • Encouraging amenity and safety through design; and • Enable the health and wellbeing of the community. There is the provision in the Residential zones for commercial activities, including retail activities, café, dining and ancillary activities.
Large Lot Residential	To maintain and enhance the character and safety of the Large Lot Residential Zone through: • Encouraging amenity and safety through design; and • restricting non-residential activities; and • recognise the potential for new local shops and café and dining activities within specific structure plan areas.
Rural Zone	To enable rural based industry while maintaining rural character and amenity. The zone provides for retail activity only associated with the goods or services produced on a site. Temporary events and activities that contribute to the

	community's social and cultural well-being may occur within the rural zone on an irregular basis.
Reserves Zone	To enable a range of recreational and social uses on reserve land that takes into account the specific values attributed to a reserve. Temporary events are enabled on those reserves which are located, and of a sufficient size to ensure adverse effects are avoided, remedied or mitigated.
Commercial Zone	To provide for commercial development with vibrant and distinctive characters in designated areas by giving consideration to: • active frontages; and • appropriate signage. The zone provides for a range of commercial activities including licensed premises, cafes, restaurants and wholesale shops.
Industrial Zone	To provide land for industrial development that avoids reverse sensitivities and provides a level of amenity. Cafes are permitted in certain locations and a licensed premise is provided for within the Bardowie Industrial Precinct.
Lake Karapiro Events Zone	To enable the ongoing development and use of the Lake Karāpiro Events Zone for recreational facilities through: • recognising and protecting the Waikato River valley surrounding environment; and • avoiding reverse sensitivity impacts on surrounding areas and amenity values. The zone enables temporary events for up to three days excluding the set up period required and up to ten temporary events within a calendar year that exceed eight days in duration.
Mystery Creek Events Zone	To enable the operation and further development of the zone as a major events, exhibitions and recreation area.
Airport Business Zone	To support the economic and social well-being of the Waikato Region through providing for industrial and business activities, including offices and limited retail activities in an integrated mixed use business park within a defined area.

3.6 Licences in Waipā

Section 78(2)(b) of the Sale and Supply of Alcohol Act 2012



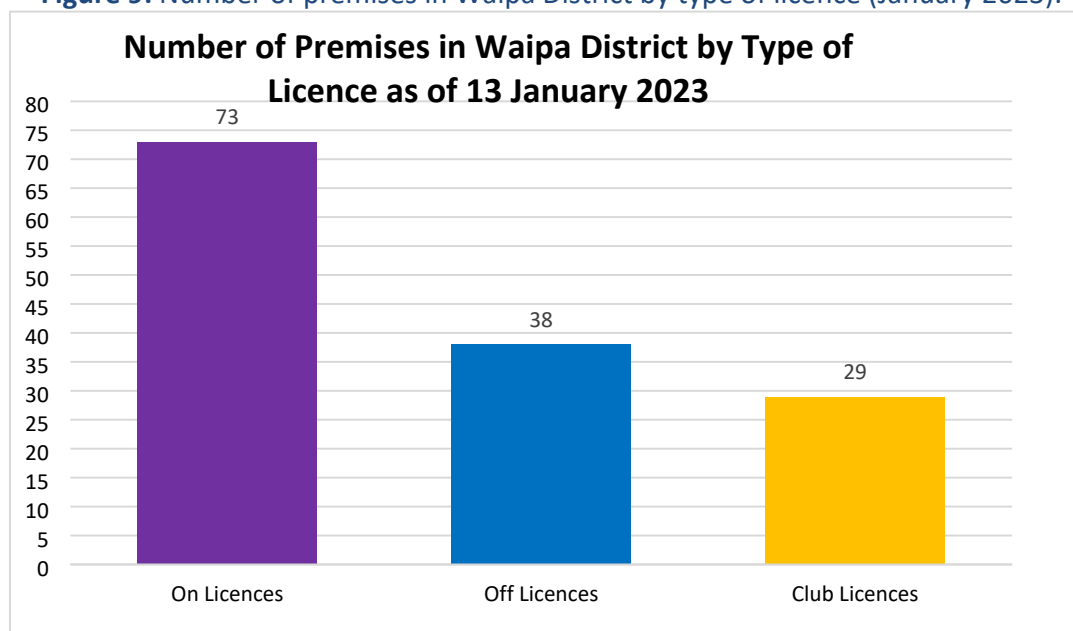
- (2) When producing a draft policy, a territorial authority must have regard to—
 (b) the number of licences of each kind held for premises in its district, and the location and opening hours of each of the premises.

3.6.1 Number of licences of each kind in Waipā

3.6.2 There are currently a total of 140 licensed premises in Waipā District. Of these, 73 are on-licences, 38 are off-licences, and 29 are club licences (Figures 8 and 9).

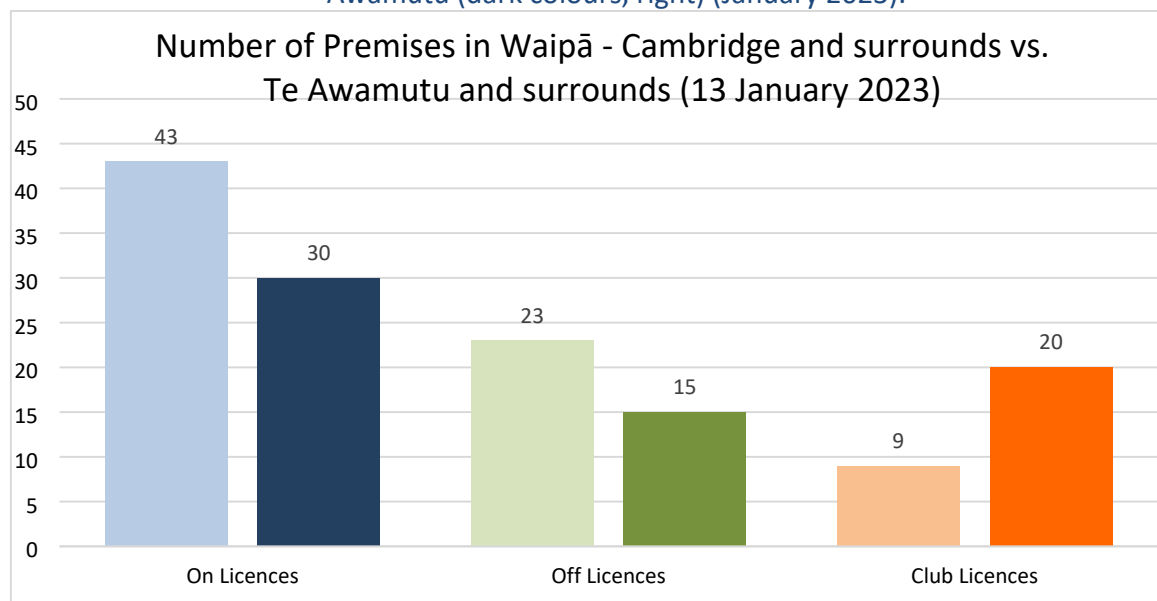
3.6.3 *Off-licences are by far the leaders in proportion of alcohol sold, selling approximately 75% of alcohol nationally. Supermarkets (which can only sell beer, wine (includes cider) and mead) are the most commonly used off-licence location for buying alcohol*⁶⁰.

Figure 9: Number of premises in Waipā District by type of licence (January 2023).



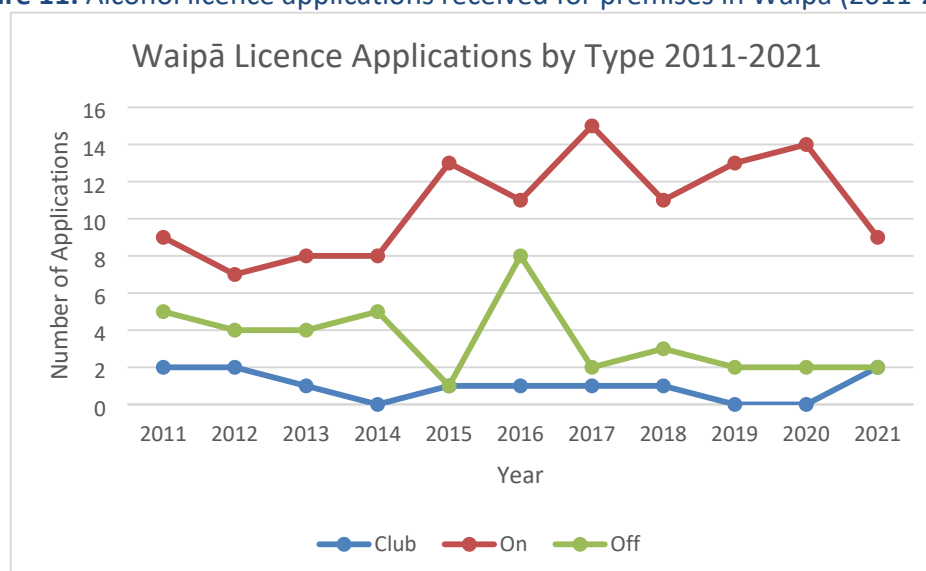
⁶⁰ (Action Point, 2021)

Figure 10: Number of premises in Waipā comparing Cambridge (light colours, left) and Te Awamutu (dark colours, right) (January 2023).



3.6.4 Figure 10 shows the trend in licence applications received (but not necessarily issued) by Waipā District Council between 2011 and 2021 (note that the Act came into effect in 2012). The COVID-19 lockdowns could also have potentially impacted the number of licence applications.

Figure 11: Alcohol licence applications received for premises in Waipā (2011-2021).



3.6.5 *The location of premises in Waipā*

3.6.6 Licenced premises are spread out throughout the Waipā district. There is some clustering of premises in townships but a sizable portion of premises are found outside town boundaries as shown in Figures 11-14.

Figure 12: Location of licensed premises in Waipā (May 2023).

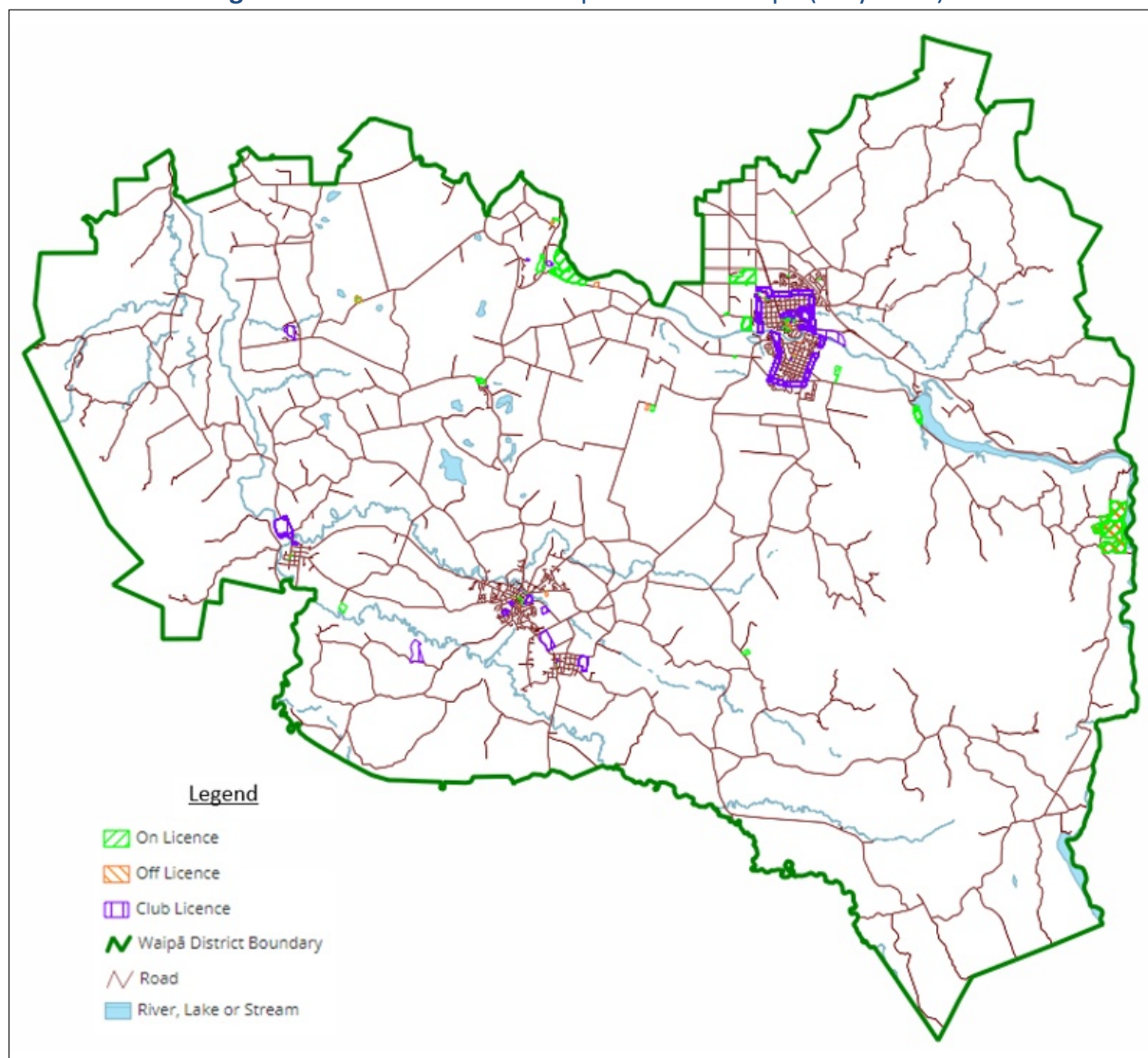


Figure 13: Location of licensed premises in northwestern Waipā (May 2023).



Figure 14: Location of licensed premises in northeastern Waipā (May 2023).

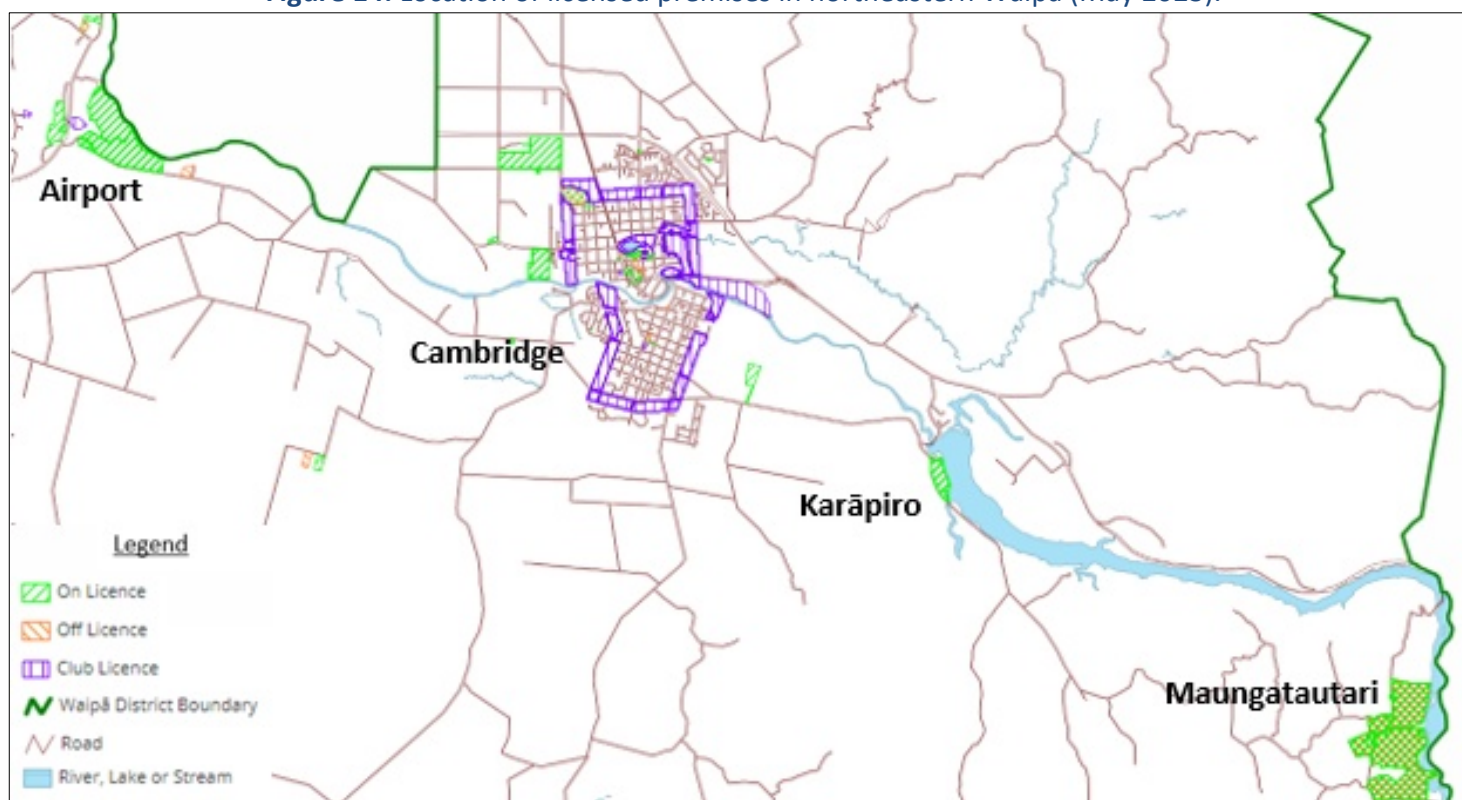
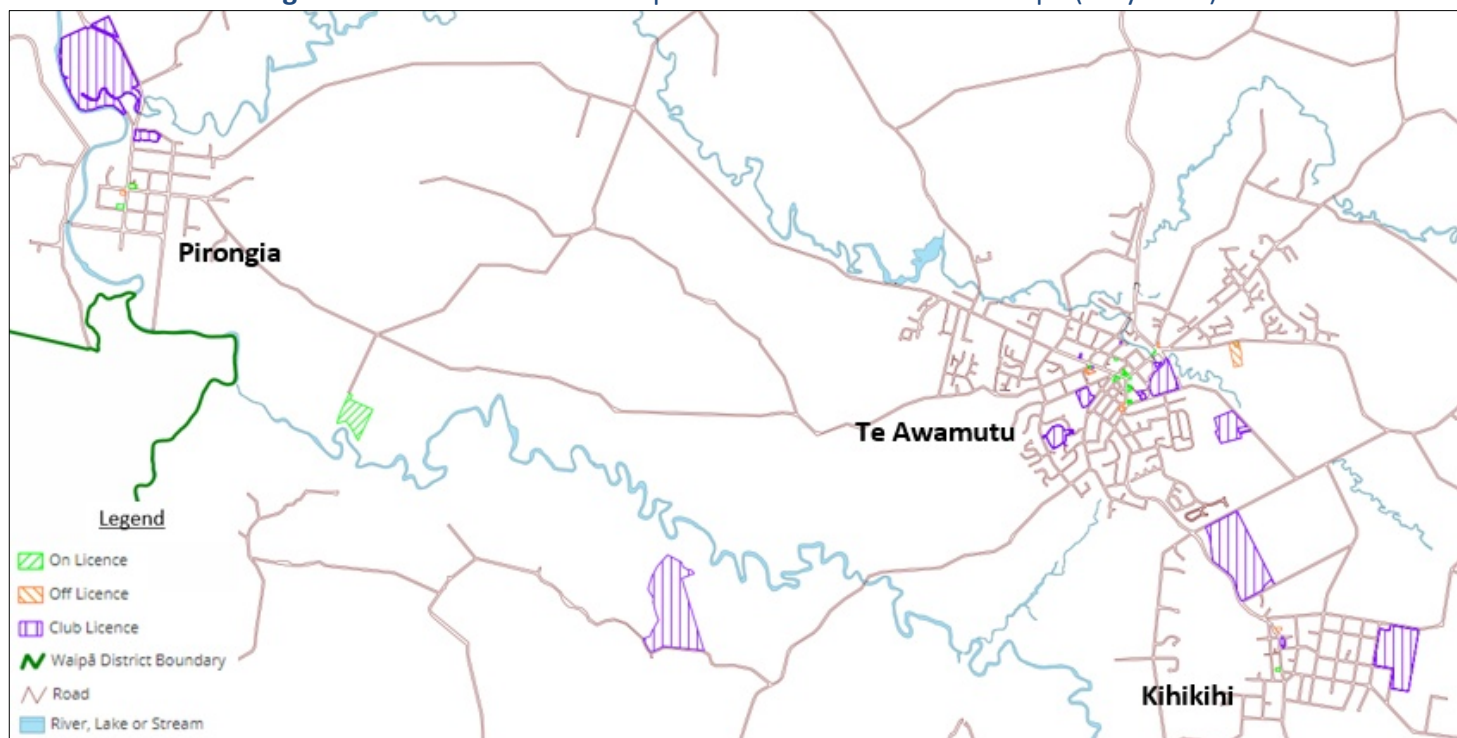


Figure 15: Location of licensed premises in southwestern Waipā (May 2023).



3.6.7 The opening hours of premises in Waipā

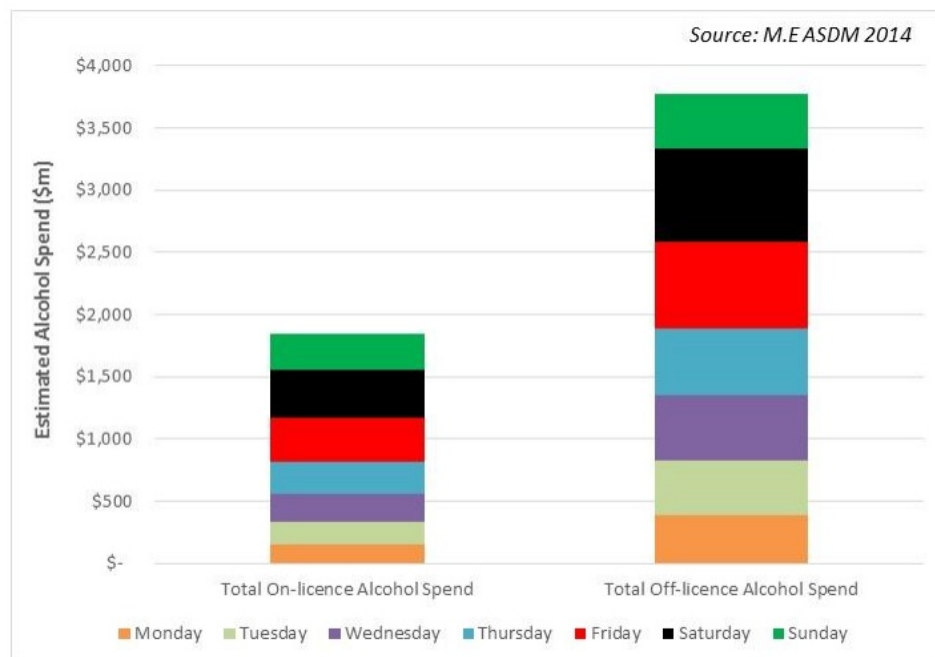
3.6.8 *Data from card spending shows that on-licences generally have a spike in spending during breakfast, lunch and dinner times. This is consistent with people going out for a meal (note this is all spending at on-licences, not only alcohol sales. Off-licences (which includes bottle stores and supermarkets) tend to have most spending occur in the late afternoon and evening, with the peak being early evening⁶¹.*

3.6.9 Nationally it is estimated that the most spending on alcohol is done at off-licence premises, with most of that spending done on Fridays and Saturdays (Figure 15).

3.6.10 There is no district level data on when people spend money on alcohol. The closest data to this is the opening hours of premises, indicating when people have access to alcohol. In Waipā district on and off-licence hours tend not to vary significantly during the week. Club licence hours vary substantially during the week, with most premises being open from 6pm to 9pm most days, with these hours extending Thursday to Sunday.

⁶¹ (M.E Consulting, 2018)

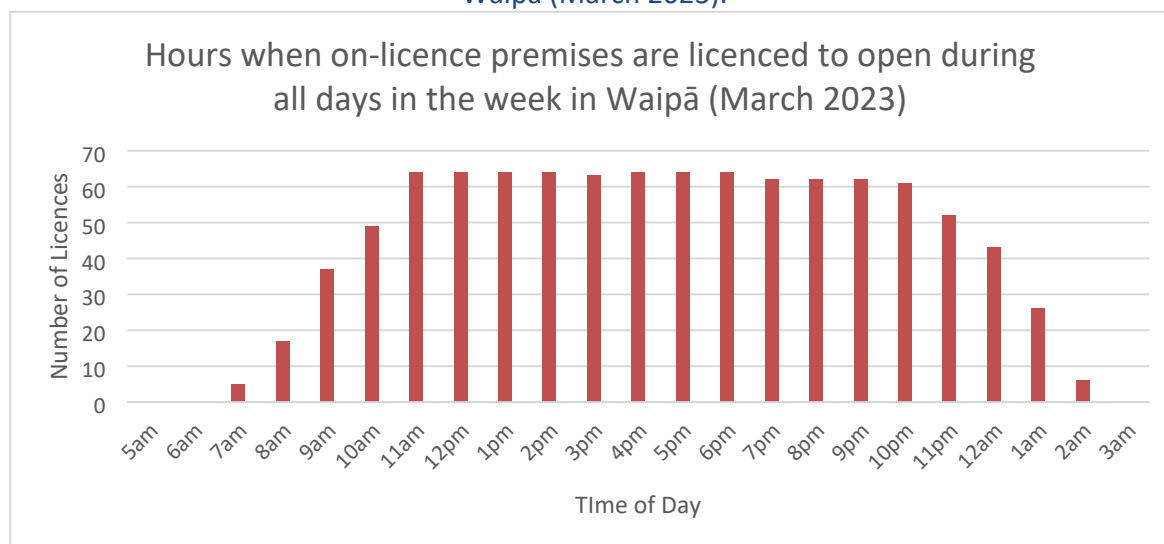
Figure 16: Estimated national alcohol spending – On-licence vs. Off-Licence (2014)⁶².



3.6.11 On-licences

Figure 16 shows the hours during which on-licences are licenced to operate in Waipā. Note this does not include eight of the licences as they operate different times on different days. Of the eight licences not included in Figure 16, none include opening before 9am and four include staying open till 2am. Half hours have been rounded to the full hour i.e. 8:30am was included as 8:00am and 4:30pm was included as 5:00pm.

Figure 17: Hours when on-licence premises are licenced to open during all days in the week in Waipā (March 2023).

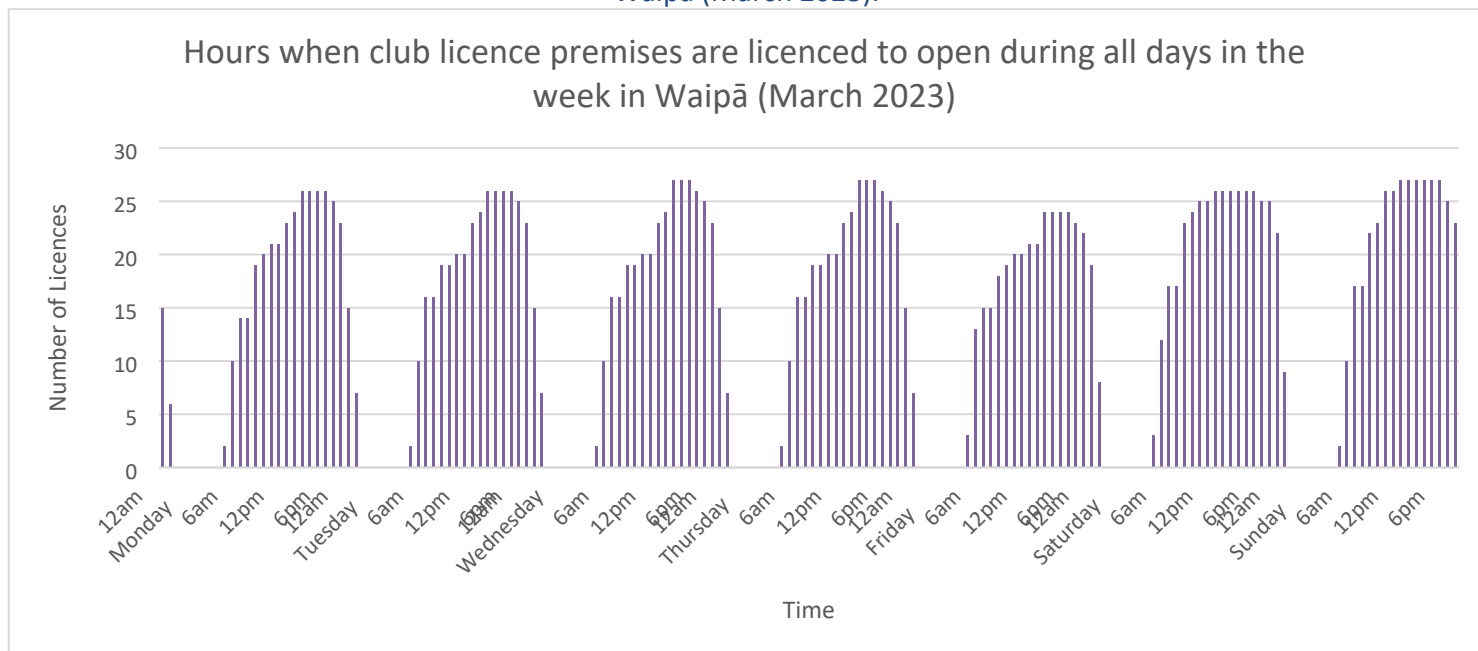


⁶² (M.E Consulting, 2018)

3.6.12 Club Licences

Club licence opening hours vary considerably by day. Some clubs extend their hours during daylight savings. Figure 17 does not include two licences as their hours were too varied to plot accurately. Half hours have been rounded to the full hour.

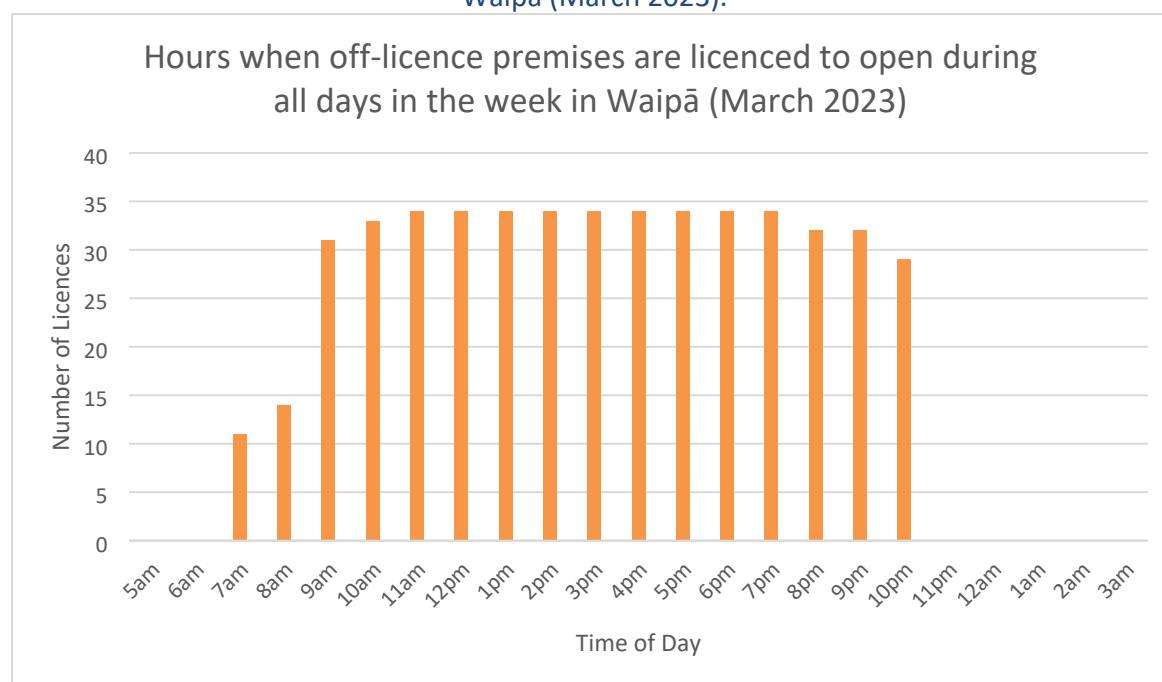
Figure 18: Hours when club licence premises are licenced to open during all days in the week in Waipā (March 2023).



3.6.13 Off-Licences

Figure 18 shows the hours during which off-licences are licenced to operate in Waipā. Note this does not include four licences, two of which are licences for remote sale and so are able to operate 24/7 and two of which have different hours on different days not extending past 9am – 10pm.

Figure 19: Hours when off-licence premises are licensed to open during all days in the week in Waipā (March 2023).



3.7 Bylaw

Section 78(2)(c) of the Sale and Supply of Alcohol Act 2012

(2) When producing a draft policy, a territorial authority must have regard to—

(c) any areas in which bylaws prohibiting alcohol in public places are in force.

- 3.7.1 The Waipā District Council Public Places Alcohol Control Bylaw 2015 (Bylaw) prohibits and controls the consumption of, bringing into and possession of alcohol in restricted places. There are four permanent alcohol bans in restricted places located in the Waipā District. The Bylaw also provides for temporary alcohol bans and exemptions for possession and/or consumption of alcohol.

Table 4: Liquor ban areas within Waipā District in April 2023.

Permanent Areas	Ban	Approximate Boundary Location	Map
Te Awamutu		Ohaupo Road, Albert Park Drive, Park Road, Sloane Street, Brady Street, Teasdale Street, Rewi Street, College Street, Tawhiao Street	Figure 19
Cambridge		Thornton Road, Albert Street, Waikato River, Dick Street, Victoria Street	Figure 3
Leamington		Cook Street, Wordsworth Street, Tennyson Street, Browning Street, Burns Street	Figure 4

Kihikihi	Linden Street, Galloway Street, Moule Street, Church Street, Lyon Street	Figure 2
Exemptions	Location	
Cambridge Town Hall	Queen Street Cambridge	
Te Awamutu Events Centre	Selwyn Lane Te Awamutu	
Waipa District Council Chambers and Committee Rooms	Bank Street Te Awamutu and Wilson Street Cambridge	

Figure 20: Te Awamutu Liquor Ban Areas.



Figure 21: Cambridge Liquor Ban Areas.

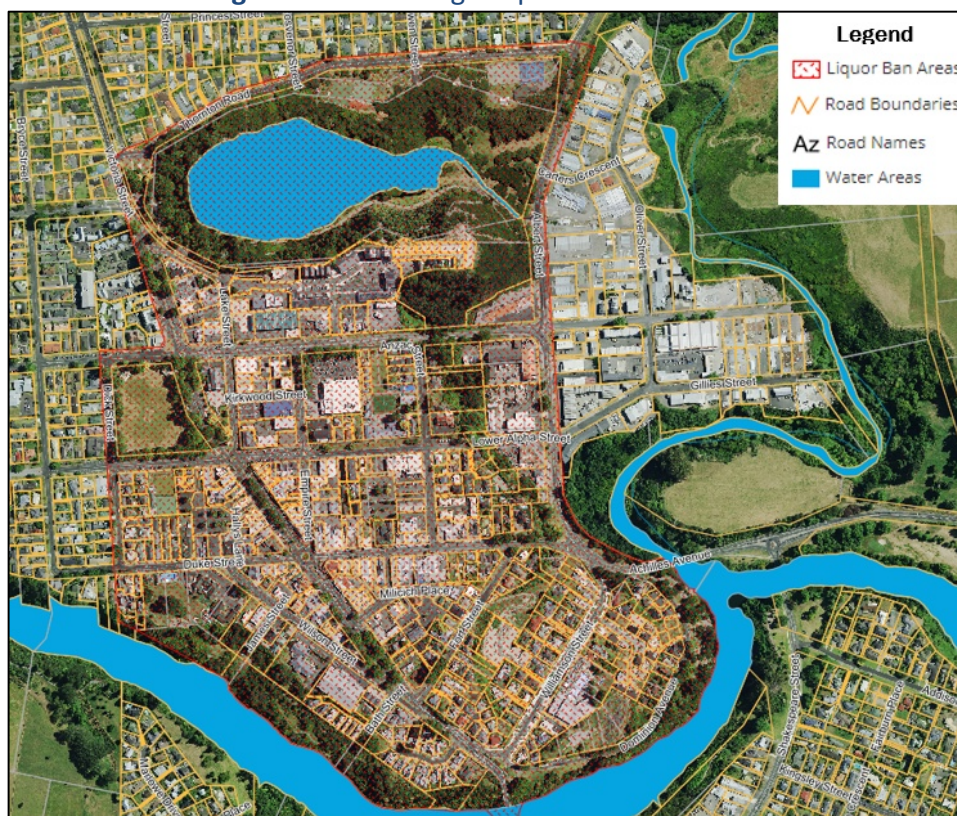


Figure 22: Leamington Liquor Ban Areas.



Figure 23: Kihikihi Liquor Ban Areas.



3.8 Demographic Profile

Section 78(2)(d) of the Sale and Supply of Alcohol Act 2012

- (2) When producing a draft policy, a territorial authority must have regard to—
(d) the demography of the district's residents.

3.8.1 The demographics of an area help in the understanding of the alcohol landscape, as not all parts of society interact with alcohol the same. There are parts of the community who are more at risk of alcohol harm due to their likelihood of drinking hazardingly or due to their current situation. To see trends in the data of who is more likely to be impacted by alcohol, national level data has to be considered as district level data does not provide enough data points to show trends for minority groups.

3.8.2 Figure 23 shows at a national level that people are more likely to have drunk hazardously in the year 2021/22 if they were male, Māori, Pacific, non-Asian, disabled, or more socio-economically deprived. Taking the national figures as an indication of who might be more at risk of hazardous drinking, Table 5 shows the proportions of Waipā's population that are statistically more likely to be past-year drinkers and hazardous drinkers.

Figure 24: Comparison in alcohol use between groups in Aotearoa New Zealand⁶³.

Adjusted ratios above 1 mean the indicator is more likely in the group of interest than the comparison group; adjusted ratios below 1 mean the indicator is less likely.

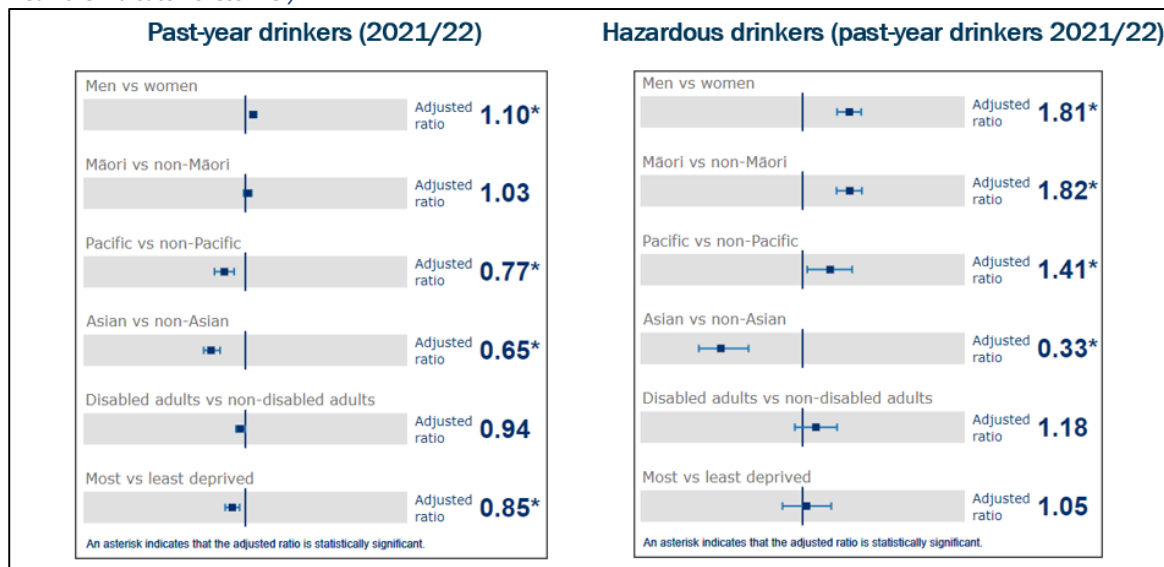


Table 5: Population Profile – Waipā and comparable districts⁶⁴.

Demographic Group	Waipā District	Waikato District	Western Bay of Plenty	Ōtorohanga District	New Zealand Population
Population	53,241	75,618	51,321	10,104	4,699,755
Median Age (years)	40.5	37.6	45.2	36.3	37.4
Māori Median Age (years)	25.2	25.3	28.0	27.8	25.4
European	87.7%	76.8%	81.4%	77.5%	70.2%
Māori	14.9%	26.4%	19.2%	30.0%	16.5%
Pacific peoples	1.8%	4.2%	2.7%	2.2%	8.1%
Asian peoples	4.3%	5.8%	6.5%	4.0%	15.1%
Middle Eastern/Latin American/African	0.5%	0.6%	0.5%	0.3%	1.5%
Other ethnicity	1.4%	1.2%	1.2%	1.2%	1.2%
Population over 65	~20%	~13%	~21%	~15%	~15%

⁶³ (Ministry of Health Manatū Hauora, 2022a)

⁶⁴ (Stats NZ, 2018b)

Population under 15	~21%	~23%	~19%	~23%	~20%
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3.8.3 Data from Te Whatu Ora shows that for people who usually live in Waipā, alcohol harm is more likely to lead to hospitalisation for those who are male (Figure 24) and those between the age of 15 – 24 (Figure 25).

Figure 25: Proportion of alcohol related ED presentations from Waipā district by gender (2020-2022).

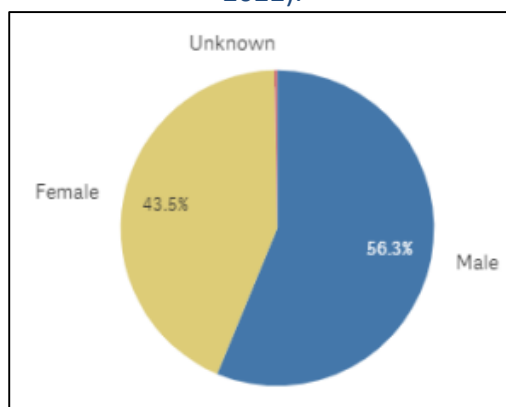
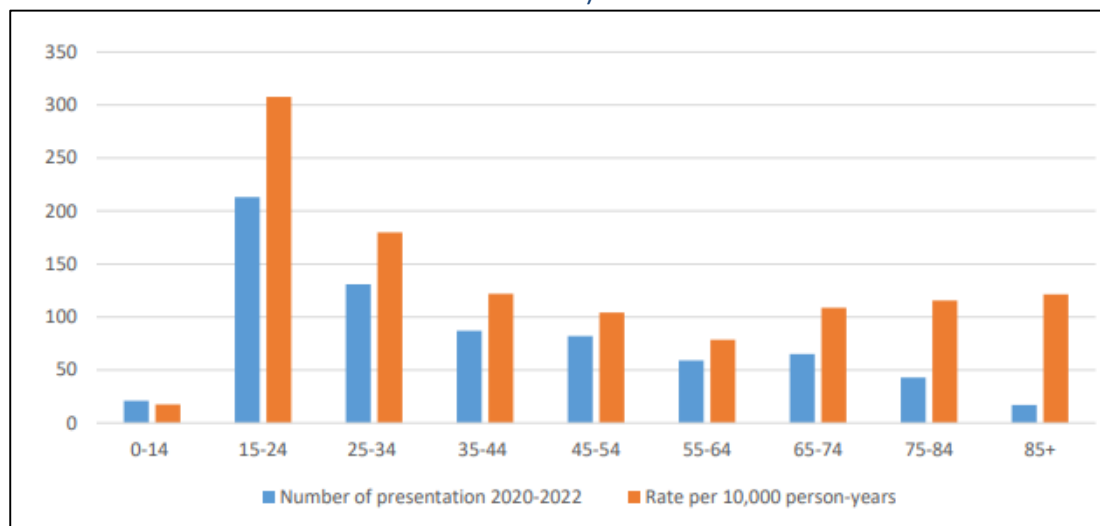


Figure 26: Number of alcohol related ED presentations from Waipā district by age group (2020-2022).



3.9 Tourists and Holidaymakers

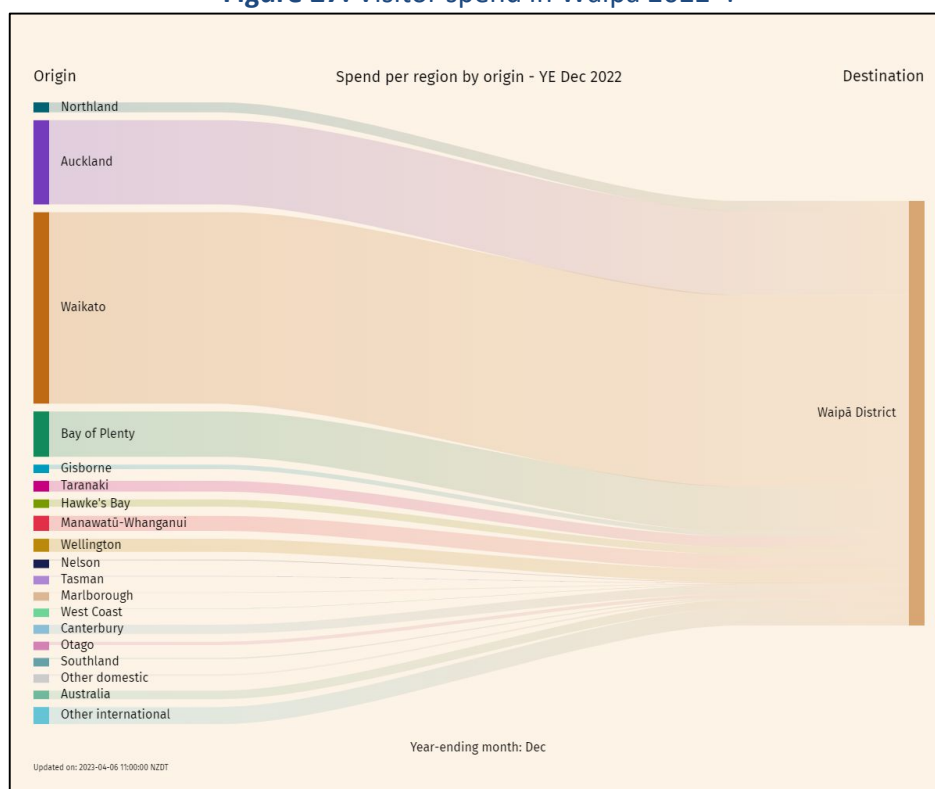
Section 78(2)(e) of the Sale and Supply of Alcohol Act 2012

(2) When producing a draft policy, a territorial authority must have regard to—

(e) the demography of people who visit the district as tourists or holidaymakers.

3.9.1 Waipā is known as the Home of Champions, a playground for elite sporting events such as cycling at the Velodrome, rowing at Lake Karāpiro, or horse racing at the Cambridge Raceway. The sporting events, along with the local cultural and natural attractions means there are a steady stream of visitors to the district year-round. Data on the demography of visitors to Waipā is scarce, however, Hikina Whakatutuki / Ministry of Business, Innovation & Employment gathers data on visitor spend. Nationally, international visitors accounted for 11% of alcohol sales from on-licences and 2% for off-licences and club-licences respectively in 2014⁶⁵. Figure 26 shows that most visitors spending in the Waipā district comes from domestic visitors, with these being mainly from the surrounding Waikato region⁶⁶. Nationally, 96% of alcohol purchases across all three licence types in 2014 were made by New Zealand bank and credit card holders⁶⁷.

Figure 27: Visitor spend in Waipā 2022⁶⁸.



⁶⁵ (M.E Consulting, 2018)

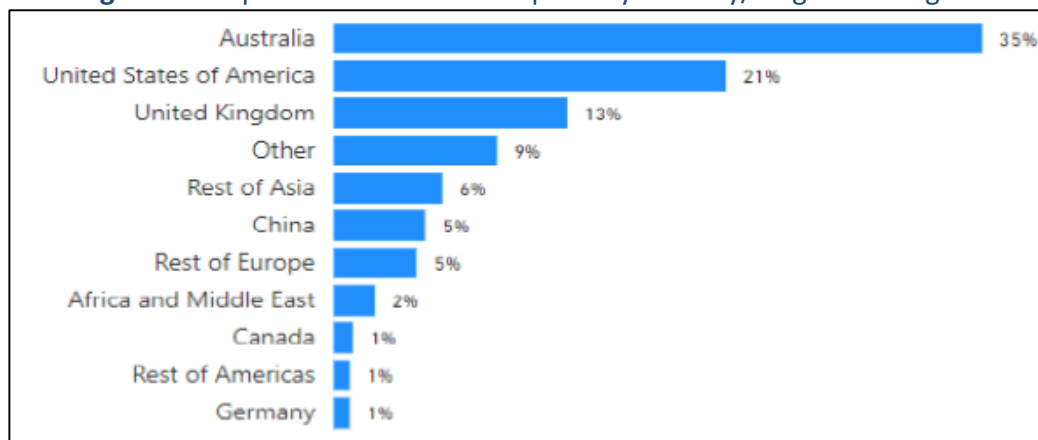
⁶⁶ (Ministry of Business, Innovation & Employment | Hikina Whakatutuki, 2023)

⁶⁷ (M.E Consulting, 2018)

⁶⁸ (Ministry of Business, Innovation & Employment | Hikina Whakatutuki, 2023)

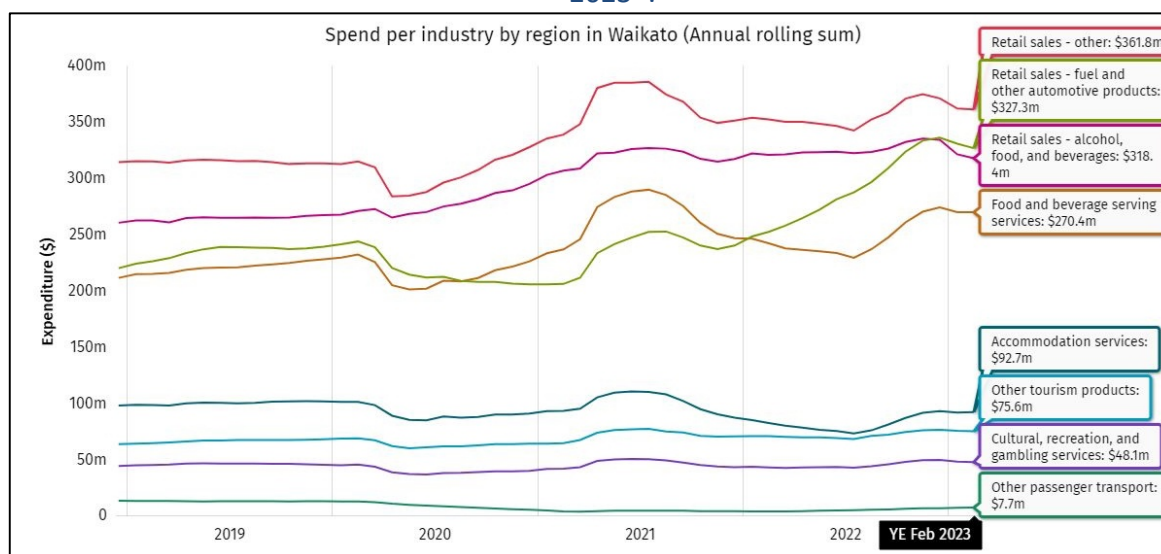
3.9.2 International visitors to the Waikato region in September 2022 (which can be expected to be roughly the same as Waipā) mainly consists of Australian visitors, followed by visitors from the United States of America and United Kingdom (Figure 27).

Figure 28: September 2022 Visitor Spend by Country/ Region of Origin⁶⁹.



3.9.3 Figures 28 and 29 show what visitors spend their money on while in the Waikato region. Domestic Tourism Electronic Card Transactions spending on Retail sales – alcohol, food, and beverages being the third highest category at \$318.4m behind Retail sales – other (\$361.8m) and Retail sales – fuel and other automotive products (\$327.3m) (Figure 28). For international visitors Retail sales – alcohol, food, and beverages is also the third highest category (Figure 29).

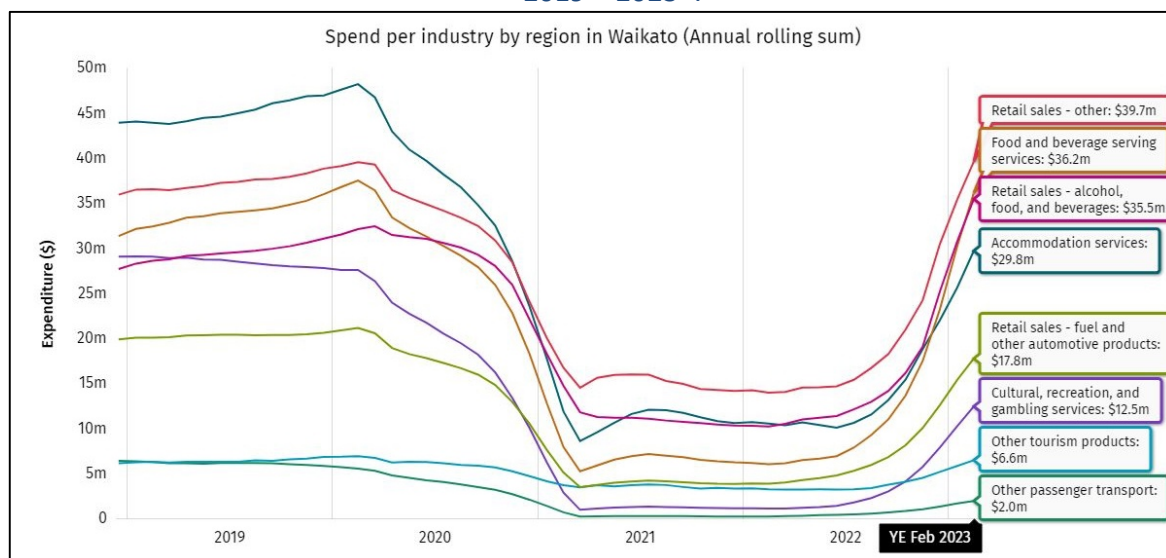
Figure 29: Domestic Tourism Electronic Card Transactions spend per industry in Waikato 2019 – 2023⁷⁰.



⁶⁹ (Hamilton & Waikato Tourism, 2022)

⁷⁰ (Ministry of Business, Innovation & Employment | Hikina Whakatutuki, 2023)

Figure 30: International Tourism Electronic Card Transactions spend per industry in Waikato 2019 – 2023⁷¹.



3.10 Health Indicators

Section 78(2)(f) of the Sale and Supply of Alcohol Act 2012

- (2) When producing a draft policy, a territorial authority must have regard to—
(f) the overall health indicators of the district's residents.

3.10.1 According to Environmental Health Intelligence New Zealand (EHINZ), health indicators related to alcohol are the statistics on how common hazardous drinking is, hospitalisations connected to alcohol, car crashes connected to alcohol and the density of places that sell alcohol⁷². These statistics (apart from density of places that sell alcohol) are gathered by Police and Te Whatu Ora (formerly the District Health Board).

3.10.2 According to Te Whatu Ora Waikato⁷³, in November 2019 it became a compulsory entry field in Waikato Emergency Departments' ("ED") patient discharge summary to identify whether alcohol was involved in each person's attendance at ED. Alcohol involvement is recorded in to the following categories:

- **Primary**, alcohol consumption is directly associated with this presentation.
- **Secondary**, where the presentation was related to alcohol consumption of a person other than the patient. For example, an alcohol related assault or car crash involving a drunk driver.
- **Unknown**, could not determine if alcohol is associated with this presentation.
- **No**, Alcohol consumption is NOT directly associated with this presentation.

⁷¹ (Ministry of Business, Innovation & Employment | Hikina Whakatutuki, 2023)

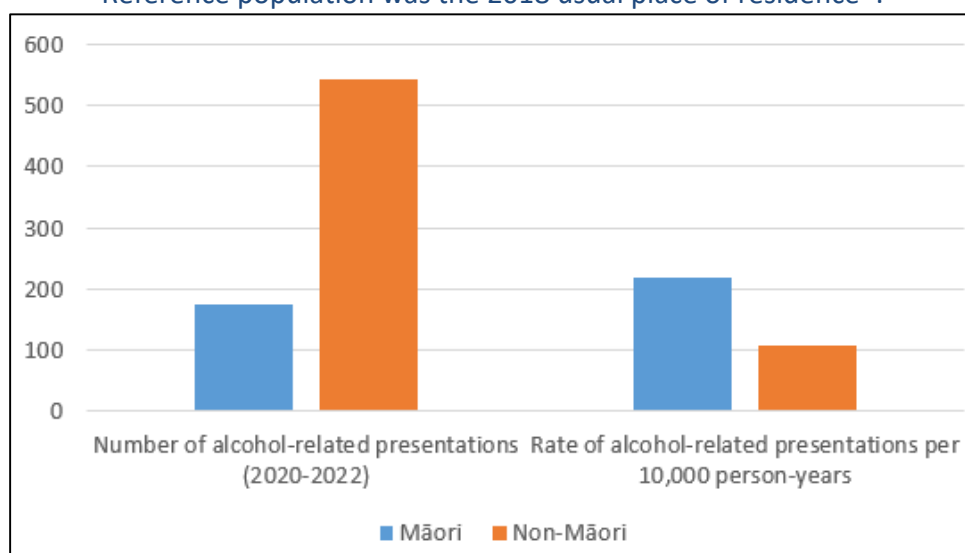
⁷² (EHINZ, n.a.)

⁷³ (Public Health Service, Te Whatu Ora – Waikato, 2023)

Police have a similar system of recording alcohol related incidents including car crashes, with the two categories being **alcohol** crimes and **alcohol related** crimes.

- 3.10.3 As mentioned previously in this report, not everyone experiences alcohol related harm equally, with males, Māori, Pacifica peoples, non-Asian, disabled, or more socio-economically deprived individuals being more at risk. This trend is also seen at a Waipā level with Māori being more likely to make alcohol related presentations to the ED (Figure 30). This indicates that the national level trends are likely to be present in Waipā.

Figure 31: Alcohol related ED presentations from Waipā District by prioritised ethnicity.
Reference population was the 2018 usual place of residence⁷⁴.



3.10.4 Hazardous drinking and hospitalisations connected to alcohol

- 3.10.5 Alcohol is commonly consumed in Aotearoa New Zealand, with 79% of adults having drunk alcohol in the year 2021/22⁷⁵. Hazardous drinking (measured through a World Health Organization 10-item questionnaire) is identified in nearly 19% of the country's adult population, with 25% of people consume 6 or more alcoholic drinks on one occasion on a monthly basis (in the year 2021/22)⁷⁶. As indicated earlier in this report, hazardous drinking and heavy episodic drinking (heavy drinking during one sitting) is more common in certain groups.

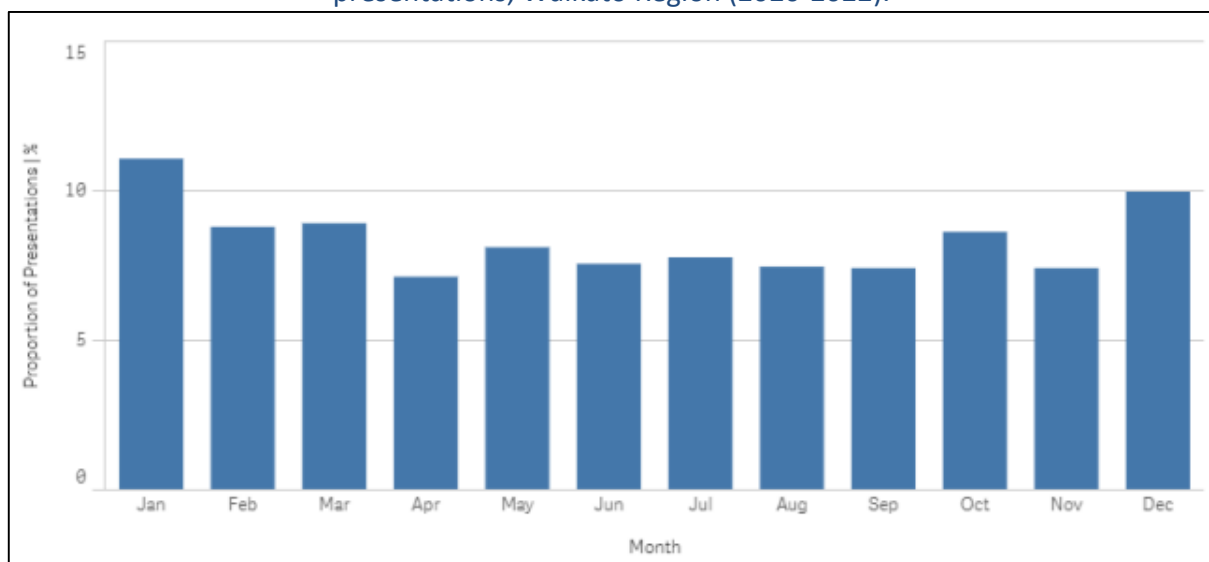
⁷⁴ (Public Health Service, Te Whatu Ora – Waikato, 2023)

⁷⁵ (Ministry of Health Manatū Hauora, 2022c)

⁷⁶ (Ministry of Health Manatū Hauora, 2022b)

3.10.6 Hazardous drinking and heavy episodic drinking and related health issues or injuries are also more common at certain times. Trends for the Waikato region (which would not be expected to be substantially different from Waipā) shows that the period of December to March is the most common time for alcohol related ED presentations⁷⁷. Thirty-nine per cent of alcohol related presentations fall within this period (Figure 31)⁷⁸.

Figure 32: Alcohol related presentation by month as a proportion of all alcohol related presentations, Waikato Region (2020-2022).



3.10.7 The majority (57%) of alcohol related presentations occur in the period from Friday night to Monday morning. The peak burden of ED is on Saturday night (including Sunday morning) when a quarter of alcohol related ED presentations happen (Figure 32)⁷⁹. In terms of the time of day of alcohol related ED presentations, there is a small peak at 11:00am and 12:00pm, with a gradual increase in presentations starting at 18:00pm leading to a big peak between 23:00pm and 1:00am (Figure 33)⁸⁰.

⁷⁷ (Public Health Service, Te Whatu Ora – Waikato, 2023)

⁷⁸ (Public Health Service, Te Whatu Ora – Waikato, 2023)

⁷⁹ (Public Health Service, Te Whatu Ora – Waikato, 2023)

⁸⁰ (Public Health Service, Te Whatu Ora – Waikato, 2023)

Figure 33: Alcohol related presentations by night of the week as a proportion of all alcohol related presentations, Waikato Region (2020-2022).

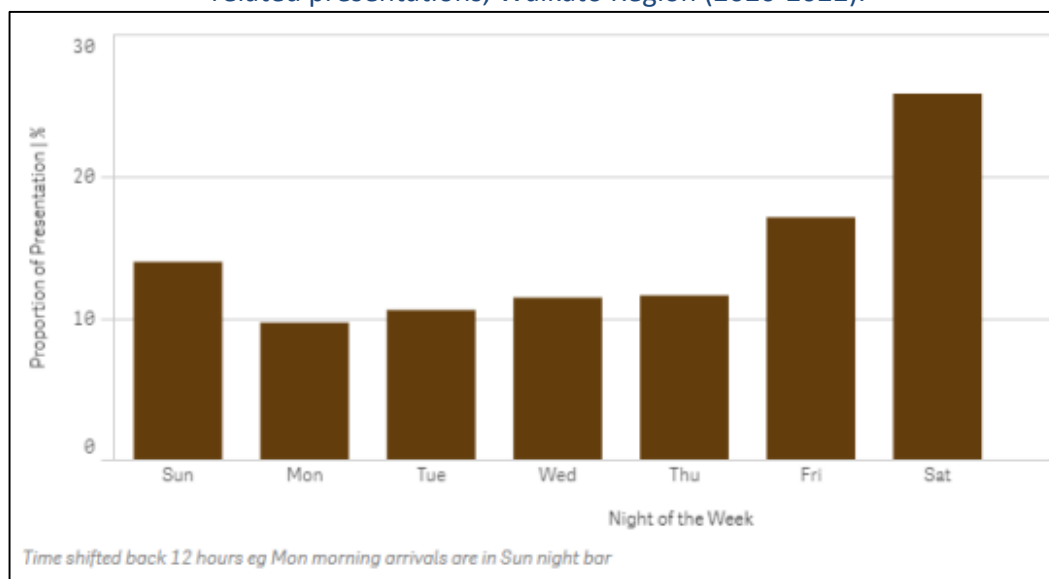
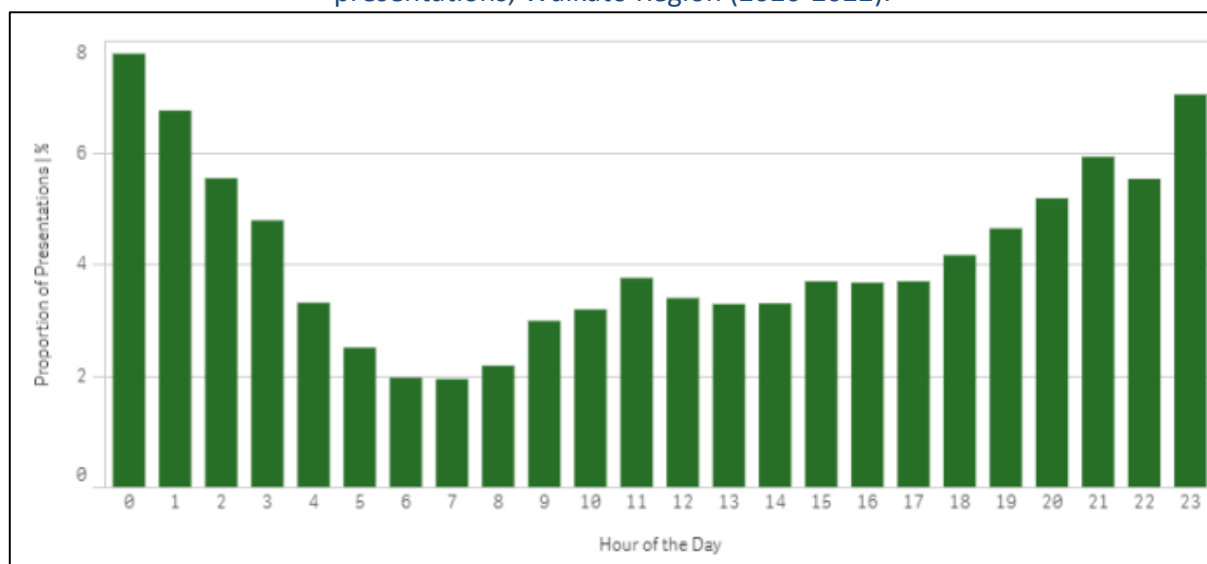
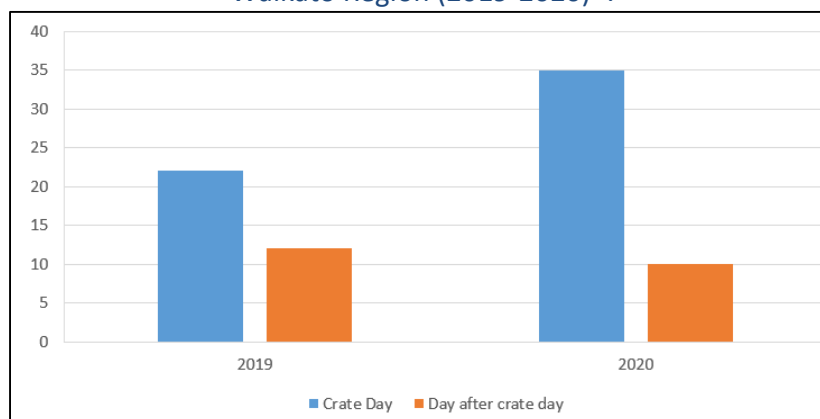


Figure 34: Alcohol related presentations by arrival time as a proportion of all alcohol related presentations, Waikato Region (2020-2022).



3.10.8 Events that promote drinking alcohol can also cause hazardous drinking, heavy episodic drinking and related health issues or injuries. Crate Day is an obvious example of this as seen in Figure 34. Crate Day takes place on the first Saturday of December with the commonly accepted aim being to drink an entire crate of beer (9 litres or close to 30 standard drinks).

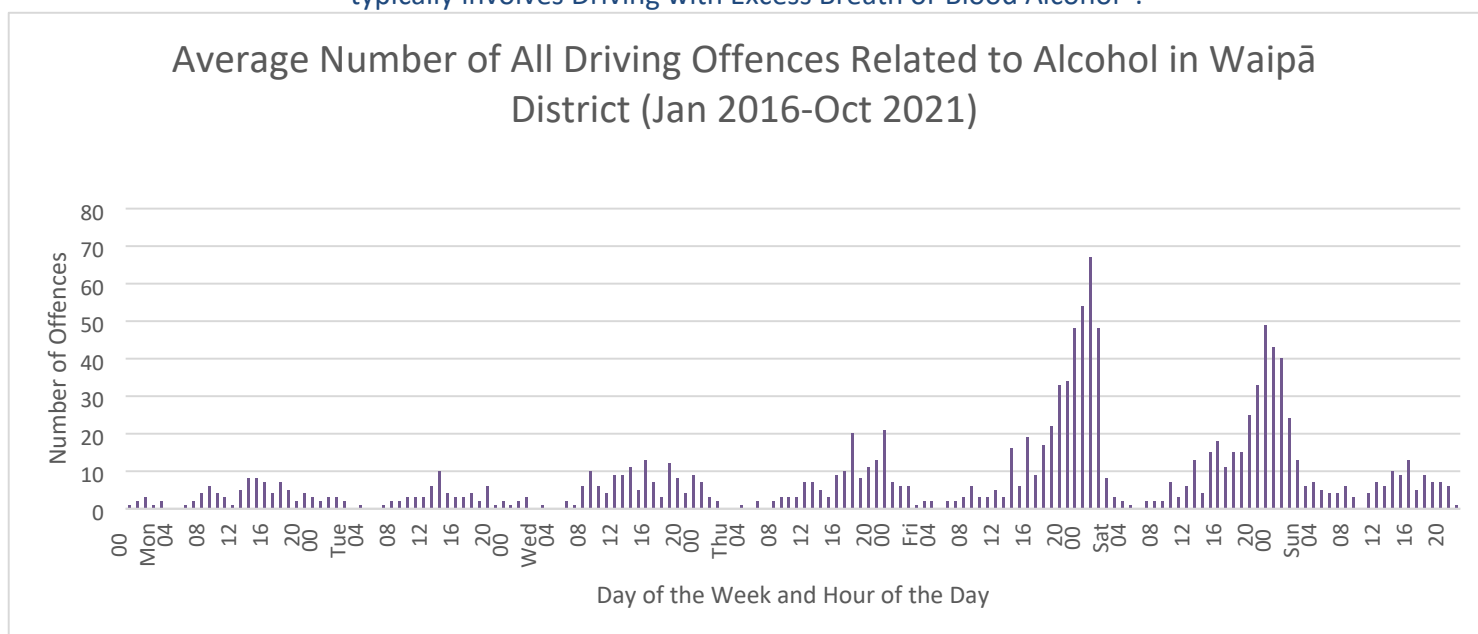
Figure 35: Number of alcohol related presentations on Crate Day compared to the next day, Waikato Region (2019-2020)⁸¹.



3.10.9 Car crashes connected to alcohol

3.10.10 Alcohol can cause or be a contributing factor to car crashes because drinking alcohol can lead to drowsiness, decrease in fine motor skills and balance and an increase in self-confidence. The amount and frequency of alcohol related crashes can also show if people in the district are drinking more or less hazardously than other areas. Figure 35 shows that the times when alcohol related driving offences occur generally line up with ED presentations, alcohol related crimes and alcohol sales, with Friday and Saturday nights having the largest amount of occurrences.

Figure 36: Average number of all driving offences related to alcohol in Waipā District. This typically involves Driving with Excess Breath or Blood Alcohol⁸².



⁸¹ (Public Health Service, Te Whatu Ora – Waikato, 2023)

⁸² Source: Personal correspondence with Police.

3.10.11 *Density of places that sell alcohol*⁸³

3.10.12 In Aotearoa New Zealand an association has been found between hazardous alcohol consumption and availability of alcohol retailers for the following groups: younger Māori and Pacifica males; younger European females; middle-aged European men; and older men⁸⁴. Another study found an association between outlet density and alcohol related harm and off-licence outlet density and binge drinking⁸⁵. An association between off-licence outlet density and social harms, but a mixed relationship with on-licence stores has also been found⁸⁶ as well as an association between off-licence outlets and motor vehicle accidents and police events⁸⁷.

3.10.13 Table 6 shows the number of people for every licensed premises by type in Waipā and comparable district.

Table 6: Density of Alcohol licences in Waipā and comparative districts (population as at 2018 census).

Demographic Group	Waipā District	Waikato District	Western Bay of Plenty	Ōtorohanga District	New Zealand Population 2014
Population ⁸⁸	53,241	75,618	51,321	10,104	4,242,048*
# People per off-licences	1,401	1,758	1,466	2,020	3,442*
# People per on-licences	729	1,181	1,091	1,443	613*
# People per club licences	1,835	1,643	2,052	1,122	2,242*

***This data is from 2014 when the Aotearoa New Zealand population was approximately 4,242,048⁸⁹**

⁸³ This section is based on and extracted from information provided to Waipā District Council by Te Whatu Ora as part of the *Alcohol related health information pack, 2023; For the review of the Waipa District Local Alcohol Policy*. See Appendix 4 for the full report.

⁸⁴ (Ayuka et al., 2014)

⁸⁵ (J. L. Connor et al., 2011)

⁸⁶ (Cameron et al., 2016)

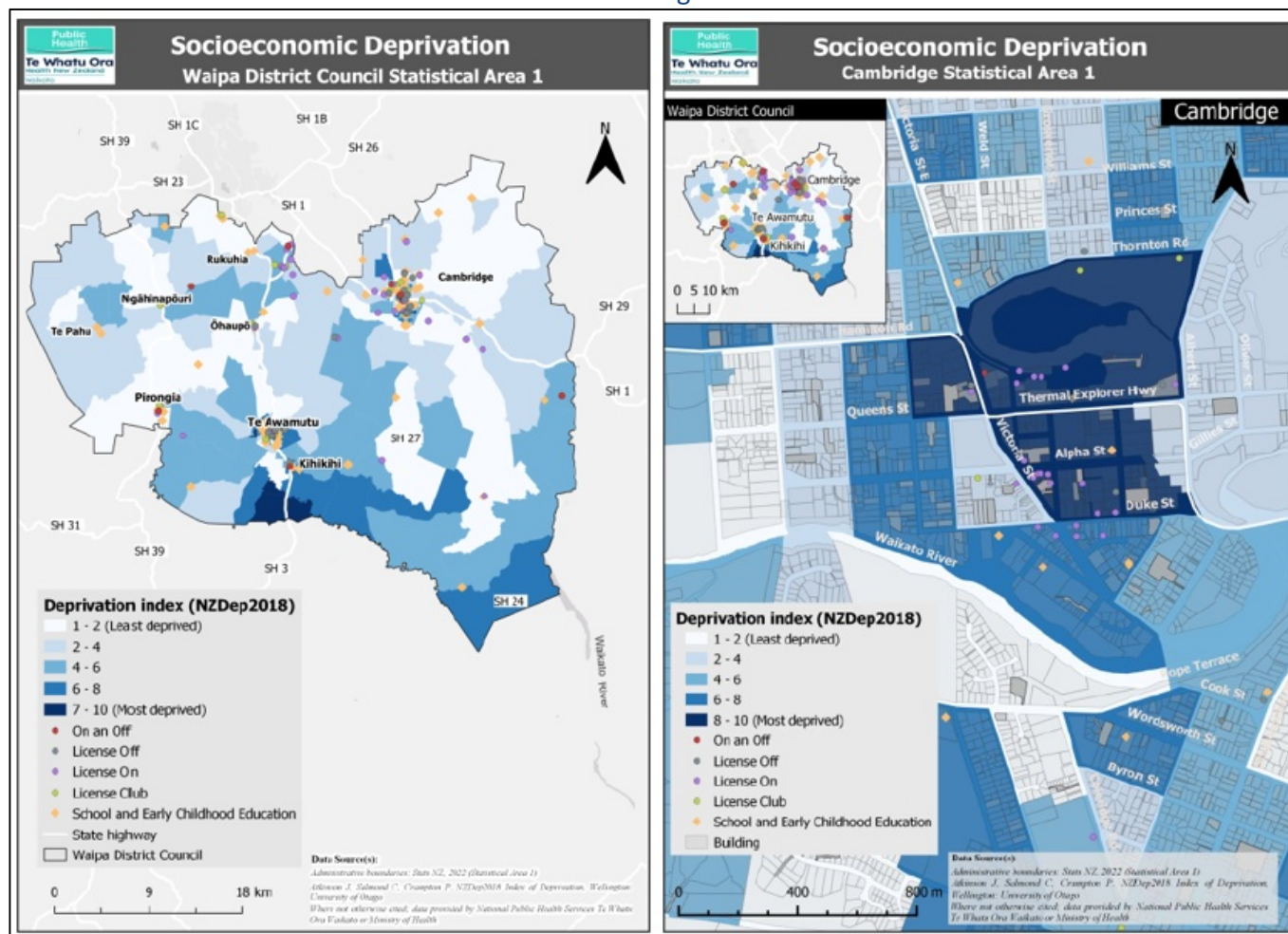
⁸⁷ (Cameron et al., 2012)

⁸⁸ (Stats NZ, 2018a)

⁸⁹ (M.E Consulting, 2018)

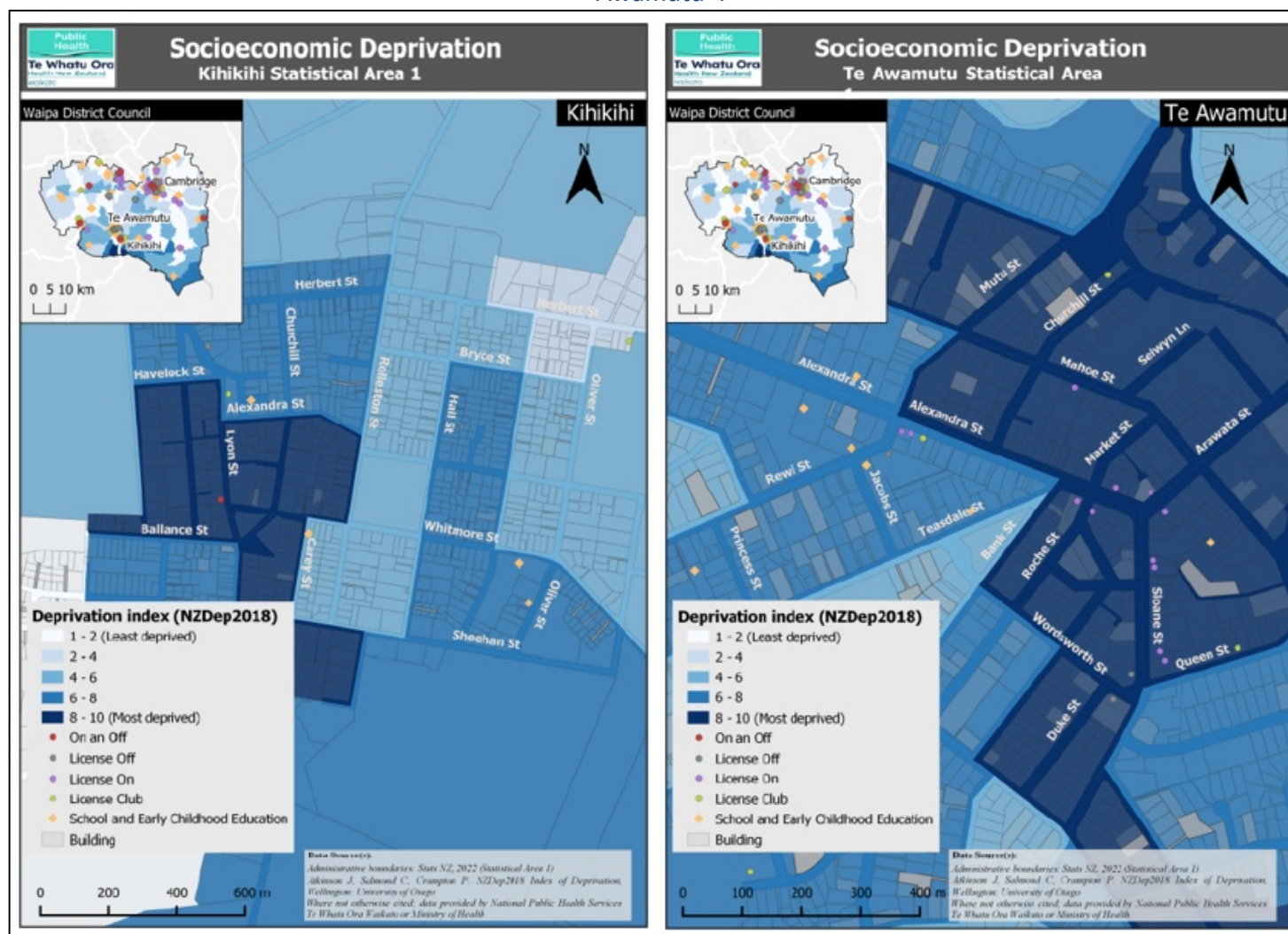
- 3.10.14 What should also be addressed in respect to density of places that sell alcohol is who are the people that are living in the areas with the most licensed premises. This can be done by looking at the deprivation level of different areas. The deprivation level of a community is calculated using the 2018 New Zealand Index of Multiple Deprivation (NZDep 2018), which is a set of tools for identifying concentrations of deprivation in Aotearoa New Zealand. The NZDep 2018 comprises 29 indicators grouped into seven domains of deprivation: Employment, Income, Crime, Housing, Health, Education and Access to services. NZDep 2018 is the combination of these seven domains, which may be used individually or combined. The output is a decile score with 10 being most deprived and 1 being least deprived. The areas units are standardised units with standardised boundaries, based on the number of people living within an area, generally 1,000 – 3,000 residents per unit in a district council. In urban areas where there is significant business activity, for example retail areas, the number of residents per unit is usually fewer than 1,000 residents. Discrepancies in data in business areas can sometimes lead to a skewed deprivation score in these areas.
- 3.10.15 As seen in Figures 36 and 37, licensed premises in Waipā tend to be located in the more deprived areas of communities. What this means is that the most vulnerable communities are put at further risk by adding in higher density access to alcohol. A study by Day et al., 2012 found that the more access there is to licensed outlets, the higher likelihood there is of serious violent crime. Hobbs et al., 2020 found a similar correlation between close proximity to alcohol outlets and an increase in crime and hazardous drinking.

Figure 37: Location of alcohol licences in relation to deprivation levels – Waipā and Cambridge⁹⁰.



⁹⁰ (Public Health Service, Te Whatu Ora – Waikato, 2023)

Figure 38: Location of alcohol licences in relation to deprivation levels – Kihikihi and Te Awamutu⁹¹.



3.11 Nature and Severity of Alcohol Related Problems

Section 78(2)(g) of the Sale and Supply of Alcohol Act 2012

(2) When producing a draft policy, a territorial authority must have regard to—

(g) the nature and severity of the alcohol related problems arising in the district.

3.11.1 Alcohol related problems can include health related problems which are covered elsewhere in this report (see sections 3.2 *Why is alcohol considered harmful* and 3.10 *Health Indicators*). Other alcohol related problems It has also been shown that alcohol has a connection to crime⁹².

⁹¹ (Public Health Service, Te Whatu Ora – Waikato, 2023)

⁹² (Cameron et al., 2012)

3.11.2 Police record data on alcohol related offences and alcohol offences. Alcohol related offences are offences where alcohol was a factor such as drink driving, family harm, violence offences such as assault, disorderly behaviour, theft, robbery, and sexual offending. Alcohol offences are offences where the Act was directly infringed on such as liquor ban breaches or selling to minors. The data for Waipā District shows that the times when these offences occur generally align with ED presentations, with offences gradually increasing during the evening and spiking between 11pm and 1am. Offences generally occur more frequently on Fridays, Saturdays Sundays.

Figure 39: Alcohol related offences in Waipā District (2016-2021)⁹³.

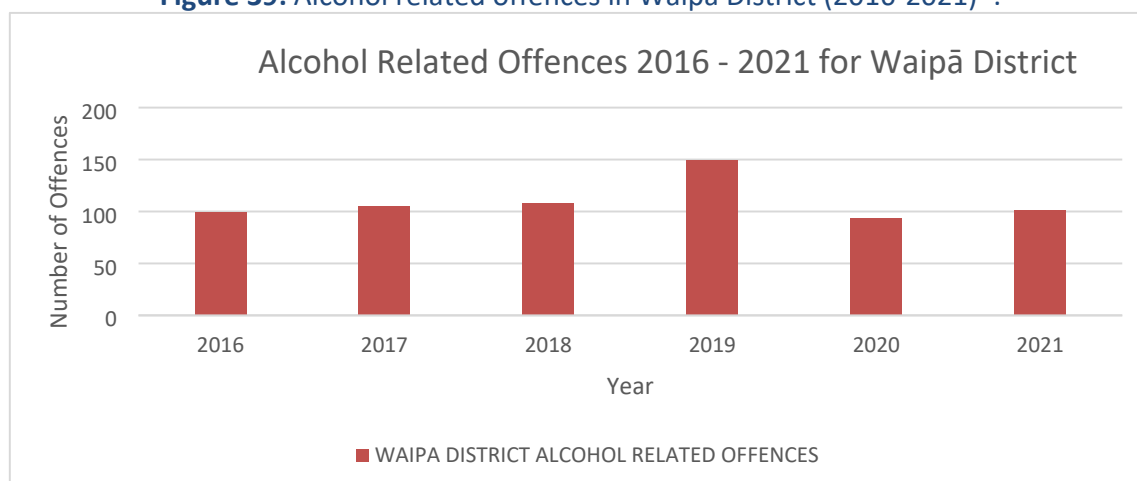
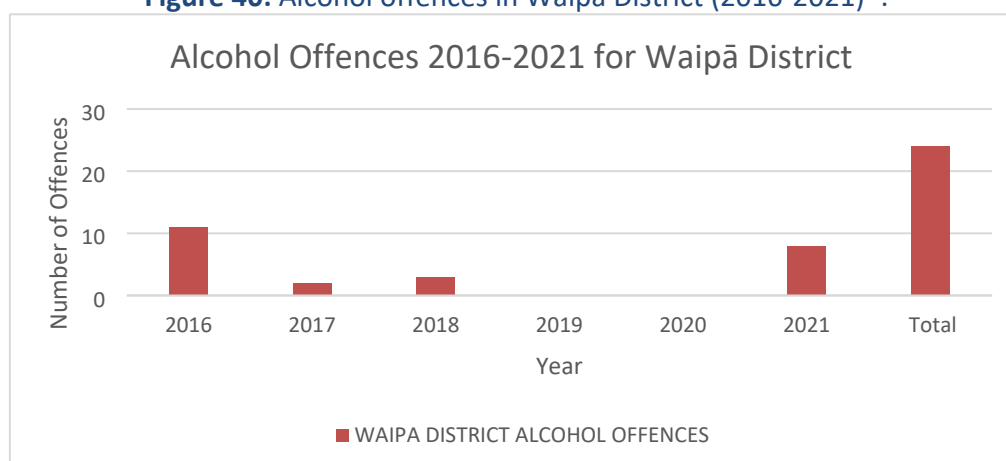


Figure 40: Alcohol offences in Waipā District (2016-2021)⁹⁴.



⁹³ Source: Personal correspondence with Police.

⁹⁴ Source: Personal correspondence with Police.

Figure 41: All alcohol offences in Waipā District by time of day⁹⁵.

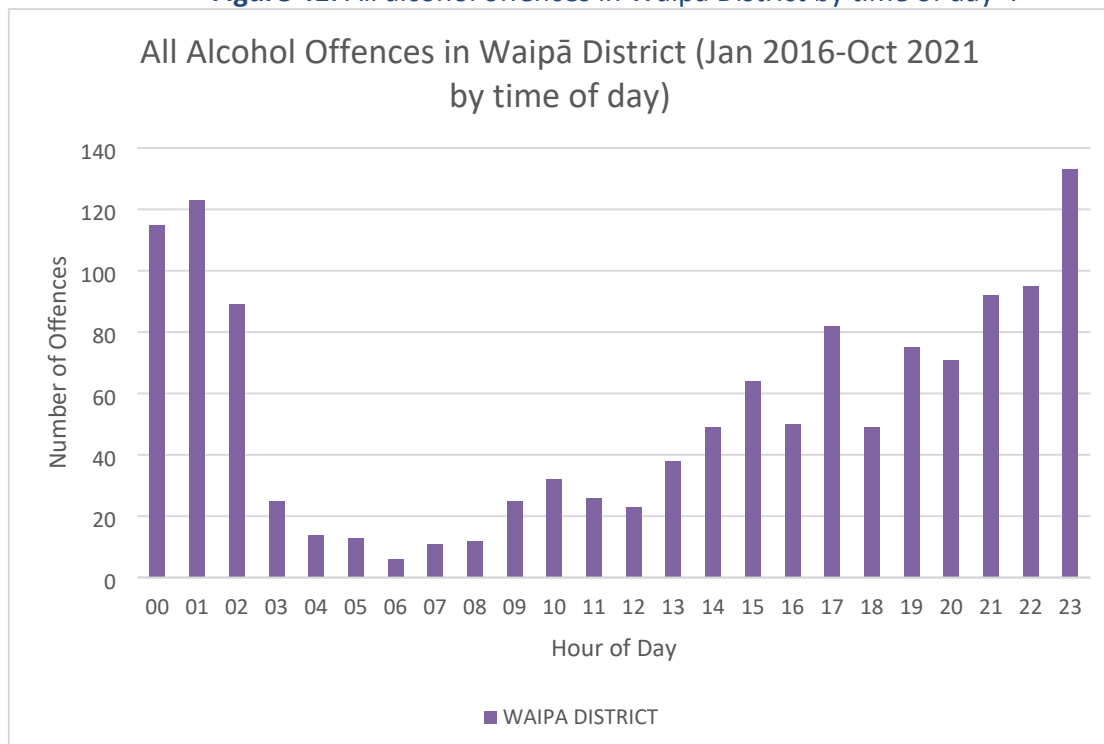
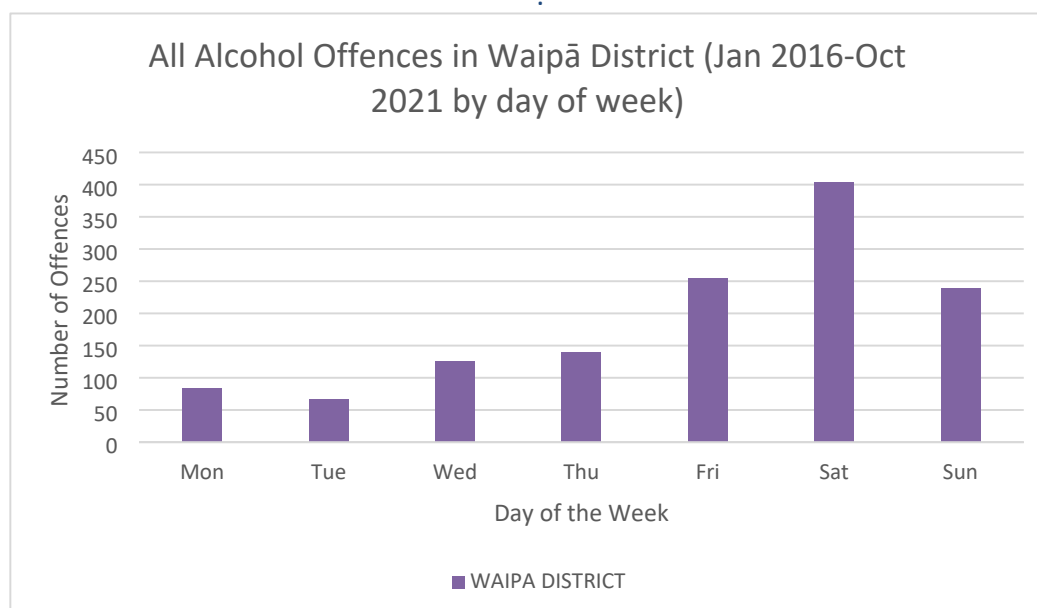


Figure 42: All alcohol offences (alcohol and alcohol related) in Waipā District by day of the week⁹⁶.



⁹⁵ Source: Personal correspondence with Police.

⁹⁶ Source: Personal correspondence with Police.

PART 4 - AREAS FOR WAIPĀ DISTRICT COUNCIL TO CONSIDER

4.1 Key areas that reduce harm

4.1.1 Various organisations and studies have found that there are three key areas that are effective in reducing alcohol related harm⁹⁷. These areas being:

- Increasing the price of alcohol
- Legislating around alcohol advertising
- Reducing the availability of alcohol

4.1.2 Councils have the ability, through Local Alcohol Policies, to address the area of alcohol availability. Availability of alcohol can be managed through the location of premises, number of premises, hours of operation, and one-way door restrictions.

4.2 Feedback from Police, Medical Officer of Health, and Licensing Inspectors

Section 78(4) of the Sale and Supply of Alcohol Act 2012

(4) The authority must not produce a draft policy without having consulted the Police, inspectors, and Medical Officers of Health, each of whom must, if asked by the authority to do so, make reasonable efforts to give the authority any information they hold relating to any of the matters stated in subsection (2)(c) to (g).

4.2.1 Police, Medical Officer of Health and Licensing Inspectors have been asked for their initial thoughts on how the current LAP is working. Council is required by the Act to consult with the three regulating parties as their frontline knowledge of applying the regulations of the LAP provides useful insight into whether the current LAP is fit for purpose. The roles of the three parties in the LAP process are outlined in Table 1 on page 21.

4.2.2 The Police, Medical Officer of Health, and Licensing Inspectors have each provided Council with an initial report. These are contained in Appendices B – D. Extracts from the reports are contained throughout this report and summarised in Table 7 below, however, it is **strongly recommended that each of the reports be read in their entirety**.

4.2.3 Table 7 below aims to summarise the current policy and the remarks of the three regulating authorities, it is by no means a comprehensive analysis of the issues contained. Please refer to the full reports for a detailed analysis.

4.2.4 Table 7 provides the following information:

- Reference to Section 77 of the Sale and Supply of Alcohol Act, indicating what the LAP has control over.
- Reference to the current (2016) Waipa District Council Local Alcohol Policy and what the current regulations are.
- Police recommendations.

⁹⁷ (Alcohol Healthwatch, 2020; Law Commission, 2010; Ministry of Social Development, n.d.; World Health Organization, 2018)

- Medical Officers of Health (MOH) recommendations.
- Alcohol Licensing Inspector recommendations.

4.2.5 The overall consensus among the three regulatory authorities is that the current LAP is not fit for purpose and that changes need to be made.

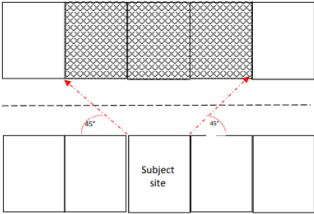
Table 7: Summary of Police, Medical Officers of Health (Te Whatu Ora) and Alcohol Licensing Inspectors initial feedback on Waipā District Council's 2016 LAP.

Policy Condition – Section 77 of the Act	Waipā 2016 LAP Conditions	Police	MOH	Inspectors
Location of licensed premises by reference to broad areas. <i>Considering where licensed premises can be located in relation to broad areas. Broad areas can include (but are not limited to) areas that can be defined, such as, town boundaries, District Plan zones, and liquor ban areas.</i>	<i>Off-licence</i> New off-licence premises are limited to areas zoned to allow commercial activities as permitted activities, unless authorised by resource consent.	No Change <i>Off-licences</i> No Change	Need for change <i>Off-licences</i> Cap number of licences per town/ area.	Need for change <i>Off-licences</i> Within Alcohol Ban Area Cap on number of premises (at the number existing on the date the LAP comes into force) in the areas identified as Liquor Ban areas for Cambridge, Leamington, Te Awamutu and Kihikihi areas. Outside the alcohol ban area No new licensed premises being licensed for the first time on any site where the application site is located within a 500 metre radius from the proposed site to the boundary of an existing off-licensed premises and any sensitive site existing at the time the application is made. Unless the applicant provides evidence that demonstrates to the DLC or ARLA through a Local Impact Report that: - the proposed licensed premises will have no more than minor effects; and - it is in the public interest to issue the licence. Exempt from the Local Impact Report* process are: (a) Remote Sellers; and (b) Manufacturers of alcohol, if alcohol sales from the premises are limited to

				those products manufactured on the premises *See Appendix D – Licensing Inspector Feedback On 2016 LAP for what is included in a Local Impact Report.
	<i>On-licence</i> New on-licence premises are limited to areas zoned to allow commercial activities as permitted activities.	<i>On-licences</i> No Change	<i>On-licences</i> No Change	<i>On-licences</i> No Change
	<i>Club licence</i> Premises should be located at, or in close proximity to, the sports grounds or other facilities used by the club, if relevant.	<i>Club Licences</i> No Change	<i>Club Licences</i> No Change	<i>Club Licences</i> No Change
Location of licensed premises by reference to proximity to premises of a particular kind or kinds <i>Considering where licensed premises can be located in relation to other licensed premises.</i>		No Change	Need for change	Need for change
	<i>Off-licence</i> The District Licensing Committee has regard to the proximity to other off-licensed premises when considered relevant. Premises being licensed for the first time, holding both an on and off licence shall ensure a separate point of sale and supply for the off licence if a totally separate area or premises is not practical.	<i>Off-licences</i> No Change	<i>Off-licences</i> Setting a radius around all licensed premises excluding any new licensed premises from being established within the radius.	<i>Off-licences</i> Outside the alcohol ban area No new licensed premises being licensed for the first time on any site where the application site is located within a 500 metre radius from the proposed site to the boundary of an existing off-licensed premises. Unless the applicant provides evidence that demonstrates to the DLC or ARLA through a Local Impact Report that: - the proposed licensed premises will have no more than minor effects; and - it is in the public interest to issue the licence.

				Exempt from the Local Impact Report* process are: (c) Remote Sellers; and (d) Manufacturers of alcohol, if alcohol sales from the premises are limited to those products manufactured on the premises
	<i>On-licence</i> The District Licensing Committee has regard to the proximity to other licensed premises when considered relevant.	<i>On-licences</i> No Change	<i>On-licences</i> Setting a radius around all licensed premises excluding any new licensed premises from being established within the radius.	<i>On-licences</i> No Change
	<i>Club licence</i> The District Licensing Committee has regard to the proximity to other licensed premises when considered relevant.	<i>Club Licences</i> No Change	<i>Club Licences</i> No Change	<i>Club Licences</i> No Change
Location of licensed premises by reference to proximity to facilities of a particular kind or kinds <i>Considering where licensed premises can be located in relation to facilities. Facilities are buildings,</i>		No Change	Need for change	Need for change
	<i>Off-licence</i> - No <u>new off-licence</u> within commercial areas on any site where the site frontage directly borders (at the time of application) any: - school - early childcare facility - place of worship	<i>Off-licences</i> No Change	<i>Off-licences</i> Within commercial areas an off-licence will not be issued, in respect of any new premises being licensed for the first time, on any site within 200 metres of the legal boundary of any school, early childcare facility, or place of worship existing at the time the licence application.	<i>Off-licences</i> Outside the alcohol ban area No new licensed premises being licensed for the first time on any site where the application site is located within a 500 metre radius from the proposed site to the boundary of any sensitive site that includes, but is not limited to any rehabilitation treatment centre, school, early childcare facility, place of worship, Marae, community facility or medical facility, recreational facilities (including but not limited to children's play

<i>equipment, and services provided for a particular purpose. Sensitive facilities/sites are buildings, equipment, and services that can cater to vulnerable individuals.</i>	Unless demonstrated that the hours, external alcohol related signage or operation of the premises will have no significant impact on facilities and/ or persons using those facilities. - In cases where a <u>resource consent</u> is required to locate premises outside of commercially zoned areas, the boundary of the site shall be a minimum of 40 metres from the boundary of any existing - school, - early childcare facility - or place of worship Unless demonstrated that the hours, external signage or operation of the premises will have no significant impact on facilities and/ or persons using those facilities. - the District Licensing Committee shall have regard to the proximity to - public park, - car park - reserve		To be included as sensitive facilities: - Public parks - Libraries - Marae - Medical/ health facilities - Alcohol treatment centres.	areas or sports grounds) existing at the time the licence application is made. Unless the applicant provides evidence that demonstrates to the DLC or ARLA through a Local Impact Report that: - the proposed licensed premises will have no more than minor effects; and - it is in the public interest to issue the licence. Exempt from the Local Impact Report* process are: (e) Remote Sellers; and (f) Manufacturers of alcohol, if alcohol sales from the premises are limited to those products manufactured on the premises
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	particularly where that park, car park or reserve is within a restricted place prescribed by the Public Places Alcohol Control Bylaw.			
	<i>On-licence</i> - No new on-licence issued on any site where the site directly borders any existing; - school - early childcare facility - place of worship unless no significant impact on those facilities Figure 43: Diagram of "directly border".  - Boundary of the site shall be a minimum of 40 metres from the boundary of any school, early childcare facility, or place of worship existing at the time unless no	<i>On-licences</i> No Change	<i>On-licences</i> No new licences within 200 metre radius of boundary of sensitive facilities, including but not limited to school, early childcare facility, place of worship, Marae, community facility or public park existing at the time. Licence can be granted subject to demonstration of minor effects. To be included as sensitive facilities: - Public parks - Libraries - Marae - Medical/ health facilities - Alcohol treatment centres.	<i>On-licences</i> No new licences within 200 metre radius of boundary of sensitive facilities, including but not limited to any rehabilitation treatment centre, school, early childcare facility, place of worship, Marae, community facility, medical facility, and recreational facility existing at the time. Licence can be granted subject to demonstration of no more than minor effects on facilities and/or persons using facilities. To be included as sensitive facilities: Rehabilitation treatment centre - includes residential support houses and inpatient or outpatient units that provide support or treatment of alcohol, drug or substance abuse or addiction. Marae - includes a communal or sacred place that serves religious and social purposes in Māori societies that provides everything from eating and sleeping space to religious and educational facilities. Community Facility - includes cultural or administrative facilities such as libraries,

	significant impact on those facilities			museums, community halls, public parks and reserves. • Medical Facility - includes any location where healthcare is provided such as medical centres and facilities, hospitals, clinics, birthing centres and dental clinics. • Recreational facilities - (including but not limited to children's play areas, sports ground) The word significant impact be change to more than minor extent. It is important DLC or ARLA must evaluate whether effects are greater than de minimis and what are their impacts on the various affected parties, receptors, community, achieving object of the act to reduce alcohol harm rather than comparing to significant issue.
	<i>Club licence</i> The District Licensing Committee shall have regard to the proximity of any proposed new club premises to any: ○ school ○ early childcare facility ○ place of worship ○ residential area.	<i>Club Licences</i> No Change	<i>Club Licences</i> No new licences within 200 metre radius of boundary of sensitive facilities, including but not limited to school, early childcare facility, place of worship, Marae, community facility or public park existing at the time. Licence can be granted subject to demonstration of minor effects. To be included as sensitive facilities:	<i>Club Licences</i> No new licences within 200 metre radius of boundary of sensitive facilities, including but not limited to any rehabilitation treatment centre, school, early childcare facility, place of worship, Marae, community facility, medical facility, and recreational facility existing at the time. Licence can be granted subject to demonstration of no more than minor effects on facilities and/or persons using facilities. To be included as sensitive facilities (see explanations above): • Rehabilitation treatment centre -

			- Public parks - Libraries - Marae - Medical/ health facilities - Alcohol treatment centres.	- Marae - Community Facility - Medical Facility - Recreational facilities The word significant impact be change to more than minor extent. It is important DLC or ARLA must evaluate whether effects are greater than de minimis and what are their impacts on the various affected parties, receptors, community, achieving object of the act to reduce alcohol harm rather than comparing to significant issue.
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	No limit on number of licences	No Change	Need for change	Need for change
Considering if any new licences should be issued in Waipā District or any part of Waipā District.		<i>Off-licences</i> No Change	<i>Off-licences</i> - Setting a radius around all licensed premises excluding any new licensed premises from being established within the radius. - Cap number of licences per town/ area.	<i>Off-licences</i> Cap on off-licence outlets in the areas identified as Liquor Ban areas for Cambridge, Leamington, Te Awamutu and Kihikihi areas. The proposal for the revised LAP is: <i>The number of off-licences issued within the Liquor Ban areas in the Cambridge, Leamington, Te Awamutu and Kihikihi shall not exceed the number existing at the date this LAP comes into force.</i>
		<i>On-licences</i> No Change	<i>On-licences</i> Cap number of licences per town/ area.	<i>On-licences</i> New on-licences will not be issued in respect to any new premises being licenced for the first time on any site where the application site is located within a 200 metre radius from the proposed site to the boundary of any sensitive site that includes, but is not limited to any rehabilitation treatment centre, school,

				early childcare facility, place of worship, Marae, community facility and medical facility existing at the time the licence application is made, unless it can be demonstrated to the DLC that the hours, signage or operation of the premises, design and layout of premises and nature of operations will have no more than minor effects on those facilities and/or persons using those facilities It is also recommended Policy 2.1 Definitions is extended to include: (a) Rehabilitation treatment centre (b) Marae (c) Community Facility (d) Medical Facility (e) Recreational facilities It is recommended also the word significant impact be changed to more than minor extent. It is important DLC or ARLA must evaluate whether effects are greater than de minimis and what are their impacts on the various affected parties, receptors, community, achieving object of the act to reduce alcohol harm.
		<i>Club Licences</i> No Change	<i>Club Licences</i> No Change	<i>Club Licences</i> New club will not be issued in respect to any new premises being licenced for the first time on any site where the application site is located within a 200 metre radius from the proposed site to the boundary of any sensitive site that includes, but is not limited to any rehabilitation treatment centre, school, early

				childcare facility, place of worship, Marae, community facility and medical facility existing at the time the licence application is made, unless it can be demonstrated to the DLC that the hours, signage or operation of the premises, design and layout of premises and nature of operations will have no more than minor effects on those facilities and/or persons using those facilities It is also recommended Policy 2.1 Definitions is extended to include: (a) Rehabilitation treatment centre (b) Marae (c) Community Facility (d) Medical Facility It is recommend also the word significant impact be change to more than minor extent. It is important DLC or ARLA must evaluate whether effects are greater than de minimis and what are their impacts on the various affected parties, receptors, community, achieving object of the act to reduce alcohol harm.
Maximum trading hours		Need for change	Need for change	Need for change
	<i>Off-licence</i> Monday to Sunday 7.00am to 10.00pm	<i>Off-licences</i> 9:00am to 9:00pm trading hours	<i>Off-licences</i> Trading hours between 07:00am – 09:00pm for bottle stores, tavern off-licences, and manufacturers.	<i>Off-licences</i> Monday to Sunday 7.00am to 9.00pm (subject to holiday restrictions)

	<i>On-licence</i> Hotel, tavern - Monday to Sunday 9.00am to 2:00am the following day. Hotels - alcohol may be sold or supplied at anytime to any guest residing on the premises. Hotel, tavern or other premises where principle activity is provision of alcohol is proposed within 100 meters of Residential Zone: - Sunday to Thursday 9:00am to 10.30pm - Friday and Saturday 9.00am to 12.00 midnight. Hotels - alcohol may be sold or supplied at anytime to any guest residing on the premises. Restaurant, café or function centre - Monday to Sunday 7.00am to 1.00am the following day. Any outdoor dining area: 9.00am to 11.00pm on any day.	<i>On-licences</i> Not to be extended beyond 2:00am.	<i>On-licences</i> Review actual (rather than licensed) closing times of hotels, taverns. If none are actually operating past these times – change default closing time to midnight or 1:00am the following day. Review actual (rather than licensed) closing times of restaurants. If none are actually operating past this time – change to midnight.	<i>On-licences</i> Hotel, tavern - Review actual operating hours (rather than hours licensed to operate). If none are operating past midnight or 1:00am the following day, change on-licence closing time to either midnight or 1:00am. Restaurant, café or function centre - Review actual operating hours (rather than hours licensed to operate). If none are operating past midnight change closing time to midnight. Tavern or other premises where selling alcohol is the principal activity within <u>200 meters of Residential Zone</u> – no new licence or renewal of licence unless demonstrated effects will be no more than minor. - Hotels can sell or supply alcohol to residing guests at any time. - Outdoor areas: 9.00am to 10.00pm.
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	- Outside of these hours the Public Places Alcohol Control Bylaw restrictions shall apply to any premises within a restricted place. Any other premises not defined above: - Monday to Sunday 9:00am to 1.00am the following day.			
	<i>Club licence</i> - Monday to Sunday 9.00am to 1.00am the following day - The District Licensing Committee will have regard to the days and hours of operation, and the type of activities undertaken by the club, in setting club hours.	<i>Club Licences</i> No Change	<i>Club Licences</i> Review actual (rather than licensed) closing times of club licence premises. If none are actually operating past this time – change to midnight.	<i>Club Licences</i> No Change
The issue of licences, or licences of a particular kind or kinds, subject to discretionary conditions		Need for change	Need for change	Need for change
	<i>Off-licence</i> District Licensing Committee may impose discretionary conditions related to the following: Prohibited persons	<i>Off-licences</i> Include compulsory CPTED requirements, including:	<i>Off-licences</i> Addition of discretionary conditions that relate to the following: Limiting display of certain alcohol product types.	<u><i>All Licences</i></u> The following conditions should be included by the DLC and ARLA for all new licences or licences that are being renewed: Licensee must observe rules relating to intoxicated persons on the premises and

	• People or kinds of people to be served • Kinds of alcohol to be sold • Display of nationally consistent safe drinking messages and material • Application of Crime Prevention Through Environmental Design (CPTED) principles: ○ CCTV ○ Lighting ○ Internal layout ○ Staff • 50% of any store front glazing shall be transparent 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. External signage must comply with the signage requirements outlined in the Waipa District Council District Plan.	• Lighting requirements. • Line of site profile. • CCTV.	• Limiting the external advertising on a premises. • Limiting sale of alcohol products that pose high risk of harm due to price and packaging (e.g. single shots, single unit sale, RTDs priced \$6 or less per unit). • Banning sale of non-alcoholic products (e.g. nitrous oxide) that pose a high risk of harm. • Remote sale of alcohol (e.g. ID requirements, packaging warning courier of requirements).	signage associated with intoxicated and selling alcohol to minors. • The licensee must at all times have in place a Host Responsibilities Policy. • The licensee must maintain a register of material alcohol related incidents, noting the date, time and details of each incident, and the steps taken by the licensee in response to the incident. This register must be available for inspection. • The licensee must operate CCTV on the premises identified as Class 1 restaurant, class 1 club and bottle stores premises deemed as tavern. • The licensee must display information about safe transport availability and in a set format. • Off-licences to follow set format for external advertising. • Where an area is used principally for drinking alcohol, the premises (or at least one part of the premises) shall be designated (Section 119 of the Act – Restricted and Supervised Areas).
	<i>On-licence</i> District Licensing Committee may impose discretionary conditions related to the following: • Prohibited persons	<i>On-licences</i> Include compulsory CPTED requirements, including:	<i>On-licences</i> No Change	Discretionary Conditions on a case by case basis: • Conditions relating to minimum numbers of certificated managers and staff.

	• Management of premises • People or kinds of people to be served • Low and non-alcoholic beverages • Transport options • Exclusion of the public	• Lighting requirements. • Line of site profile. • CCTV.		• The licensee of a Club licence to ensure that the duty manager is present at designated time. • All areas of a tabern style licence to be designated, except for any areas principally used for dining or could be used by minors which can be undesignated where visibility of tavern-style drinking areas is minimised. • Conditions relating to exterior lighting. • Condition relating to the closing of premises near schools. • A limitation of the sale of single units of low cost high strength alcohol products from their premises. • Conditions restricting the number of alcoholic beverages and kinds of alcohol that can be sold and supplied per patron per transaction. • Conditions restricting types of vessel that alcohol can be sold or supplied. • Conditions relating to Queue Management and staggered closing times. • Condition relating to steps to be taken by the licensee to engage with Police, MOH and the Inspector. • Conditions relating to Security. • Conditions relating to remote sale (Off Licence).
	<i>Club licence</i> District Licensing Committee may impose discretionary conditions related to the following: • Prohibited persons • Management of premises • People or kinds of people to be served • Low and non-alcoholic beverages • Transport options • Exclusion of the public	<i>Club Licences</i> Include compulsory CPTED requirements, including: • Lighting requirements. • Line of site profile. • CCTV.	<i>Club Licences</i> Duty manager be present during large events or if the club is open during high risk times.	
	<i>Special Licences</i>	<i>Special Licences</i> No Change	<i>Special Licences</i> • Alcohol Management Plans required for large-scale events (400 people or more). • The types of vessels that can be used at events to be specified (e.g. no glass vessels at high risk events).	

			- Restrictions on the number of alcoholic beverages and kinds of alcohol that can be sold and supplied per patron per transaction This condition could be applied for the entire duration of the event, or after a certain time, as appropriate. - For large scale events - licensee to engage with Police, MOH and the Inspector in relation to a special licence application or after the event if requested by the agency.	Conditions relating to Method of payment (buy now pay later) (Off licence).
One-way door restrictions	<i>On-licence</i> Hotel or tavern premises with a closing time later than midnight one-hour prior to maximum closing time may be applied on Thursday, Friday and Saturday nights.	Need for change <i>On-licences</i> Implement a one-way door restriction that stops staggered closing times of premises.	No Change <i>On-licences</i> No Change	Need for change <i>On-licences</i> Implement a one-way door restriction starting at 12:00 midnight for premises which are identified as a Class 1 club, class 1 restaurant and tavern.

	<i>Club licence</i> No earlier than two hours before the normal closing time of the premises.	<i>Club licence</i> No Change	<i>Club licence</i> No Change	<i>Club licence</i> No Change
Recommended changes to LAP due to inconsistencies and clarification	• Temporary Authority - It is suggested that the role of the Secretary is reviewed. • Remote Sales - Bring conditions associated with remote sales in line with the Act. • Definitions – alter “out door dining area” and include “sensitive site”.			

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APPENDIX A – DEFINITIONS

‘Alcohol’	means a substance that is or contains a fermented, distilled or spirituous liquor; and at 20°C is found on analysis to contain 1.15% or more ethanol by volume; or that is a frozen liquid, or a mixture of a frozen liquid and another substance or substances; and is alcohol when completely thawed to 20°C; or that, whatever its form, is found on analysis to contain 1.15% or more ethanol by weight in a form that can be assimilated by people.
‘Alcohol related harm’	has the same definition as given in the Act. Means the harm caused by the excessive or inappropriate consumption of alcohol; and includes any crime, damage, death, disease, disorderly behaviour, illness, or injury, directly or indirectly caused, or directly or indirectly contributed to, by the excessive or inappropriate consumption of alcohol. It also includes any harm to society generally or the community, directly or indirectly caused, or directly or indirectly contributed to, by any crime, damage, death, disease, disorderly behaviour, illness, or injury of a kind described above.
‘Authorised customer’	in relation to premises a club licence is held for, means a person who— is a member of the club concerned; or is on the premises at the invitation of, and is accompanied by, a member of the club concerned; or is an authorised visitor
‘Authorised visitor’	in relation to premises a club licence is held for, means a member of some other club with which the club concerned has an arrangement for reciprocal visiting rights for members.
‘Café’	shall have the same meaning as ‘restaurant’
‘Cellar door’	means that same as in the Act and includes tasting rooms at a Brewery or distillery. It excludes the sale of alcohol not brewed, distilled or made by that licence holder.
‘Club’	means a body that— is a body corporate having as its object (or as one of its objects) participating in or promoting a sport or

	other recreational activity, otherwise than for gain; or is a body corporate whose object is not (or none of whose objects is) gain; or holds permanent club charter
‘CPTED’ or ‘Crime Prevention through Environmental Design’	CPTED is a crime prevention philosophy based on proper design and effective use of the built environment. The use of CPTED is intended to reduce crime and fear of crime by reducing criminal opportunity and fostering positive social interaction among legitimate users of space.
‘District Licensing Committee’	means the Waipā District Licensing Committee appointed pursuant to section 186 of the Act
‘Early childcare facility’	includes any crèche, childcare centre, kindergarten, kohanga reo play centre or plunket rooms, and any other place (excluding a school) where five or more children receive care or education on a commercial basis
‘Facility’	includes a place of worship, school or early childcare facility
‘Function centre’	premises in which the principal business is pre-booked private functions where alcohol is sold or supplied in conjunction with those functions
‘Grocery store’	means a shop that – 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
‘Hotel’	means premises used or intended to be used in the course of business principally for providing to the public— lodging; and alcohol, meals, and refreshments for consumption on the premises
‘Large scale event’	means an event to which section 143 of the Act applies
‘Licensed premises’	means any premises for which a licence is held
‘Medical Officers of Health’	means the medical officer of health appointed under the Health Act 1956 for a health district, and includes any deputy medical officer of health; and, can

	include any medical practitioner acting under the direction of the medical officer of health
‘Off-licence’	on the premises an off-licence is held for, the licensee can sell alcohol for consumption somewhere else
‘One-way door restriction’	in relation to a licence, is a requirement that, during the hours stated in the restriction,— no person is to be admitted (or re-admitted) into the premises unless he or she is an exempt person; and no person who has been admitted (or re-admitted) into the premises while the restriction applies to the licence is to be sold or supplied with alcohol
‘On-licence’	on any premises an on-licence (other than an on-licence endorsed under section 37) is held for, the licensee— can sell and supply alcohol for consumption there; and can let people consume alcohol
‘Out door dining area’	means an area of a premises holding an on-licence or club licence that is outside of the building which includes any part of a public footpath, pavement or other public place, and is used principally for dining.
‘Place of worship’	includes any church, mosque or other facility designed primarily for worship and related religious activities
‘Police’	means the New Zealand Police
‘Premises’	includes a conveyance; and includes part of any premises; and in relation to a licence, means the premises it was issued for
‘Principal entrance’	in relation to licensed premises, means an entrance to the premises designated as the principal entrance by the licensing authority or licensing committee concerned when the licence was issued
‘Product’	includes a substance that is not manufactured, but arises naturally
‘Prohibited persons’	are persons to whom alcohol cannot be served including minors and intoxicated persons and in the case of clubs any person who is not an authorised customer
‘Public park’	means any park, reserve, playground, garden or similar public place maintained by the Local Authority for recreation purposes

'Remote sale'	in relation to alcohol, means a sale pursuant to a contract that— (a) has been entered into (using the Internet, by telephone or mail order, or in any other way) between— (i) a seller who holds an off-licence; and (ii) a person (whether the buyer or a person acting on the buyer's behalf) who is at a distance from the premises where the seller entered into the contract; and (b) contains a term providing for the alcohol to be delivered to the buyer (or to a person or place nominated by the buyer) by or on behalf of the seller
'Restaurant'	means premises that— are not a conveyance; and are used or intended to be used in the course of business principally for supplying meals to the public for eating on the premises
'School'	includes any primary, intermediate or secondary school and any kura kaupapa
'Special Consultative Procedure'	Means the procedure as set out in section 83 of the Local Government Act 2002
'Special Licence'	means the type of licence detailed in section 22 of the Act
'Tavern'	means premises used or intended to be used in the course of business principally for providing alcohol and other refreshments to the public; but does not include an airport bar
'Temporary Authority'	means a temporary authority order issued and in force under section 136 of the Act
'The Act'	means the Sale and Supply of Alcohol Act 2012
'Wine'	means a product that is grape wine or fruit or vegetable wine within the meaning of section 58(3)

APPENDIX B – POLICE FEEDBACK ON 2016 LAP



28 April 2023

**To: The Liquor Licencing Committee
Waipa District Council**

**Re: Report from Police regarding the review of the Local Alcohol Policy (LAP)
for Waipa District TLA**

Introduction

Liquor license regulation and guidelines such as those contained in the LAP for Waipa DC play a crucial role in regulating the sale and consumption of alcohol and have a direct impact on police enforcement efforts. This report aims to provide an overview of why it is essential to maintain existing liquor license conditions in the context of police enforcement. By examining the role of these conditions in preventing alcohol-related crime, promoting responsible alcohol consumption, and supporting effective law enforcement strategies, it becomes clear that preserving current liquor license conditions is vital for public safety.

Prevention of Alcohol-Related Crime

Maintaining current liquor license conditions is critical for preventing alcohol-related crime. These conditions include requirements such as security measures, monitoring and reporting of incidents, and cooperation with law enforcement. By enforcing these conditions, licensed premises create an environment that deters criminal activities such as violence, disorderly conduct, and drug-related offenses. The presence of well-defined license conditions facilitates proactive police enforcement efforts and enables law enforcement agencies to focus their resources on other pressing matters.

Promotion of Responsible Alcohol Consumption

Current liquor license conditions also contribute to promoting responsible alcohol consumption, which is essential for maintaining public safety. Conditions such as limiting hours of operation, enforcing responsible service of alcohol, preventing the sale to underage persons and monitoring intoxicated individuals help prevent incidents arising from excessive drinking. Managing the number of serves per person at Special License Events should be included and the applicant must provide assurances and a plan of how persons attending such events won't be adversely affected by purchasing multiple serves of alcohol at one time. By aligning with responsible drinking practices, establishments reduce the risk of alcohol-related disturbances and minimize the strain on police resources. This cooperation allows law enforcement agencies to allocate their efforts more effectively towards addressing other public safety concerns.

Support for Effective Law Enforcement Strategies

Liquor license conditions provide valuable support for effective law enforcement strategies. By requiring establishments to maintain comprehensive records of incidents, collaborate with law enforcement investigations, and promptly report any violations, these conditions facilitate the gathering of evidence and the identification of individuals involved in criminal activities. The availability of accurate and timely information enhances the efficiency and effectiveness of police enforcement efforts, enabling them to respond proactively to potential threats and maintain community safety.

Alcohol Harm Issues within the Waipa TLA

Police have observed and recorded issues with regard to alcohol harm in the Waipa TLA that include the sale of alcohol to underage persons, intoxicated persons observed in and around licensed premises and events of a nature that would cause alarm and/or harm to persons in the community.

Controlled Purchase Operations involving underage volunteers have been executed each year since 2019 to 2022 visiting Licensed Premises across the Waipa TLA to

test training and policy processes at various establishments. On nine occasions alcohol was sold or supplied to the underage volunteers. This is concerning for Police and other agencies as it demonstrates that sales and supply of alcohol to underage persons are taking place in Waipa and Licensee's need to do better to reduce the risks of alcohol harm to younger persons in our communities.

Intoxicated persons leaving Licensed Premises and then becoming offenders or victims of violence type offences have been noted by Police staff on numerous occasions across the Waipa TLA. On 4 September 2022 at about 11:30pm I conducted a hotel visit at the [REDACTED]. There were approximately 80 persons inside the premises at the time. I noted a group of six people sitting at a table in the outside area. One female in the group was sitting slouched in a seat with her head resting on a table and eyes closed. When she awoke she appeared dazed, confused, struggled to open her eyes, and was unsteady on her feet once she tried to stand up. While dealing with another patron at the entrance to the premises three person walked past Police guiding a female out of the premises and helping her to walk as she couldn't stand by herself. Her speech was slurred, eye lids were droopy, and she smelt strongly of alcohol. A third female patron was escorted out of the premises by Police and then fell on the footpath after standing up and leaning against a wall. She was unable to lift herself and three officers had to help her to get into a patrol car to take her home. Her speech was incoherent, coordination poor and vomited and defecated herself inside the Police patrol vehicle on the short journey to her home address in Cambridge. Other examples of late night intoxication include;

Police Record number 221002/1068: 01:00hrs on 1 October 2022

Description:.

Circumstances:

On the 01/10/2022 [REDACTED] was removed from the [REDACTED], due to his level of intoxication.

After being removed [REDACTED] then refused to leave and began arguing with staff. Management requested a trespass notice for both [REDACTED] and [REDACTED] in [REDACTED] be served on [REDACTED] as he was refusing to leave and causing a big scene outside the bar.

[REDACTED] also tried to jump in the window near the smokers area to gain entry and was trying to drink peoples drinks on the street.

Staff are sick of this antisocial behaviour

Police Record 220903/2924: 01:40hrs 3 September 2022

EBA Narrative

Female seen leaving ██████ bar stumbling then roughly 10 minutes later seen driving a vehicle.

Traffic stop conducted and the driver identified herself as ██████. The driver showed signs of intoxication and admitted to drinking beer at ██████.

BST completed with a result of over 400.

Evidential breath test completed at TA base with a result of 1010mcgs.

Blood declined.

Driver consented to AWHI referral for drinking problem.

Police Record 230404/4925: 00:52hrs 1 April 2023

Further details:

Police attended the premise because of a DJ promotion for the night.

Upon arrival police observed intoxicated patrons and we got complaints of a person sexually touching females in the premises.

Further investigation also revealed that there were 4 underage patrons on the premises.

The state of the male bathrooms was poor, containing vomit and bodily fluids throughout.

Due to everything that had occurred police requested that the bar be closed for the night and the duty manager agreed, so the bar closed half an hour early.

On numerous occasions Police have attended reported events of violence in or near to Licensed Premises. Some examples of the calls for Police service are here below;

Police Record 221023/0847: 18:46hrs 21 October 2022

Circumstances:

Police were called to a disorder at the ██████. 2 males were playing pool and having a few beers. One was identified as ██████. They seem aggressive to other patrons. They finished the game of pool said that cue sticks were dodged and smashed 3 pool cue sticks on a shelf that they broke as well as denting the wall. They continued to walk out and another patron challenged them on the damage. They then took the tops off ready for a fight and started yelling out mongrel mob will get them. They said they will be back with numbers to deal with them. They then drove off.

Police Record 220705/0746: 21:05hrs 23 June 2022

Circumstances:

This job was reported by the informant as approximately 12 people fighting using pool cues and balls and a glass was also thrown.

There were also punches thrown by some parties. The dispute was between a group playing pool and a group on the pokies. Police were not able to immediately attend due to being at other priority jobs however on attendance a short time later, all parties had dispersed and left the bar.

The bar manager was spoken to and confirms a fight took place however there was no damage to his bar and he did not want to take matters any further. He was instructed to save any CCTV footage of the incident to provide to police when able in order to try and identify any suspects involved in this fight.

No persons involved in the fight phoned police and as such there were no complaints by any party.

Police Record 190608/2835: 18:00hrs 8 June 2019

Circumstances:

At approximately 18:00 [REDACTED] was at the [REDACTED] bar, [REDACTED] and threatened to hit the duty manager over the head with a bottle.

The duty manager declined to make a statement but requested Police to trespass [REDACTED]. [REDACTED] was taken back to the [REDACTED] Station due to his high level of intoxication and Trespassed by LHFR81.

[REDACTED] was picked up by his wife from the [REDACTED] Station to take [REDACTED] home.

Approximately 10 minutes later police received another phone call from the Duty manager saying that [REDACTED] had returned to the [REDACTED] bar.

Duty Manager [REDACTED] provided a statement to police for trespass and threatening behaviour.

Recommendations

There are several matters that could help reduce alcohol harm further in the Waipa TLA and should be considered to adopt into the LAP such as more emphasis on Crime Prevention Through Environmental Design (CPTED), a one-way door policy applied to all premises from midnight, and a reduction of the hours that alcohol can be sold at ON and OFF Licences.

Currently Licence Applications are encouraged to consider aspects of CPTED for their respective premises. More could be done to ensure that lighting, line of site profile and use of CCTV are compulsory factors for premises to engage and

implement as part of their operation. This would provide a two-fold benefit of discouraging crime and providing better evidence for investigations.

Police staff have observed the practice of ON Licences closing in a staggered manner on busy nights such as Friday and Saturday that leads persons, who may have already been drinking, to seek out the next establishment that is open in order to carry on drinking. The risk here is that persons already influenced by alcohol will become more influenced to the point of intoxication and then become victims or offenders of crime, or persons already intoxicated will move to another premises and cause issues at that premises. A one-way door system would easily eliminate this issue and help Licensees to better manage their premises to reduce harm.

Trading hours of premises could be better applied to ON and OFF Licences in a manner that reduces the potential harm to the community. There seems no reasonable argument to having alcohol available to sell prior to 9:00am on any day of the week. Anecdotal evidence of Police observations of OFF Licence venues such as Bottle Stores suggests that foot traffic after 9:00pm is negligible and therefore if persons are making a choice to purchase alcohol they are doing so earlier in the day or evening. A 9:00am to 9:00pm trading hours regime for OFF Licences would be preferable. ON Licence trading hours do not need to be extended beyond 2:00am as is currently the case with the LAP. Several of the example of Police reports provided above demonstrate that there is already concern for the behaviour of patrons who may begin drinking early in the evening and carry on doing so into the early hours of the morning at any ON Licensed premises if given the opportunity to do so.

Conclusion

The maintenance of current liquor license conditions is vital for police enforcement in ensuring public safety and reducing alcohol-related crime. These conditions help prevent alcohol-related offenses, promote responsible alcohol consumption, and support effective law enforcement strategies. By enforcing liquor license conditions, establishments create a safer environment, reduce the burden on police resources, and facilitate proactive policing efforts. It is imperative to preserve and uphold these conditions to foster a secure and orderly society.

Kind regards,



David Hall
Area Prevention Manager
Waikato West Area
Waikato District

M +64 21 192 3715

E david.hall@police.govt.nz



APPENDIX C – MEDICAL OFFICER OF HEALTH FEEDBACK ON 2016 LAP



Alcohol-related health information pack, 2023

For the review of the Waipa District Local Alcohol Policy

Prepared by Public Health Service, Te Whatu Ora – Waikato

March 2023

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Forward by John Bonning, Clinical Director, Waikato Emergency Department¹

Emergency Departments (ED) are the first port of call for acute presentations to hospital. We receive patients from the youngest new born to the very old, and see a huge range of illnesses and injuries every week - from a child with meningitis or an elderly patient with a broken hip to motor vehicle crashes resulting in multiple injuries. ED staff have to be ready to receive, triage and treat these patients, and also collaborate with other hospital departments regarding admission, investigation or outpatient follow up.

Waikato Hospital's Emergency Department is the third busiest ED in the country. There are regularly more than 200 patient presentations per day and the majority arrive outside of 'business hours'. Our staff have to be highly organised and our processes structured, whilst still maintaining the level of flexibility necessary to appropriately respond to whatever comes through the door 24/7.

The burden of alcohol on ED presentations is substantial. The busiest time for EDs across New Zealand is after hours – evenings, overnight and on the weekends, when we often have to respond to patients who have injured themselves, been in fights and sometimes have consumed so much alcohol that they are unconscious and at risk of death without our care.

Drunken patients and their intoxicated associates are generally labour intensive and can prove very difficult to manage. Staff are at risk of verbal or physical abuse, other patients and their relatives are subjected to noise and disruption, and our department may be subject to drunken patients vomiting or making a mess in the department. Commonly security staff or the police have to be called to control patients or associates who are intoxicated and a danger to themselves or others. Other (non-intoxicated) patients not infrequently complain about the disruption that intoxicated patients cause during their treatment.

Another impact of alcohol that is not accurately measured is those non-intoxicated patients who are assaulted or involved in car crashes with intoxicated third parties.

It is important to note that patients with problems related to alcohol consumption take time to look after, denying resources from other patients with medical emergencies and tying up staff and beds. This contributes to difficulties reaching Ministry of Health targets and good patient care. They represent significant costs for the Te Whatu Ora – Waikato District and for providers such as the Accident Compensation Corporation. Alcohol-related injury and illness is a type of self-inflicted injury that can be avoided by using alcohol in moderation.

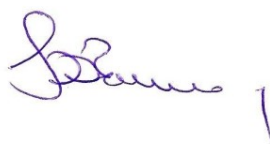
New Zealand's legal blood alcohol level for drivers is too high and society have a message that is ok to drink one or more drinks an hour and still stay under our too high limit. This sends the wrong message, that driving drunk is ok, and also contributes significantly to the impact on road trauma.

¹ The forward was written for the original information pack supplied in 2013 and has not been updated for the current revision.

The majority of weekend ED presentations relating to alcohol consumption involve young people. This is of concern, as their drinking habits leave them at risk of becoming alcohol dependent, of injuring themselves to a degree that causes long term disability, or of harassment or physical abuse. Our department, along with many others in the hospital, is also involved in providing care for those impacted by the longer term effects of alcohol misuse, for example people with alcohol-related liver disease.

The Sale and Supply of Alcohol Act (2012) is an opportunity for local governments to address some of the issues relating to alcohol abuse in our community. There is strong evidence which shows that reducing access to alcohol in the community results in fewer alcohol-related injuries and presentations to hospital. This would allow our department to function more effectively and allocate our time and resources more efficiently. I encourage the council to utilise its powers to address alcohol harm, and reduce its burden on the Emergency Department and wider health care system.

Yours sincerely,



Dr John Bonning,
Clinical Director, Emergency Department.
Waikato Hospital
Te Whatu Ora – Waikato

Introduction

Public Health has a significant interest in how alcohol impacts the health and wellbeing of communities. Public Health is involved in a number of different fields, from health promotion through to regulatory work ([Figure 1](#)).

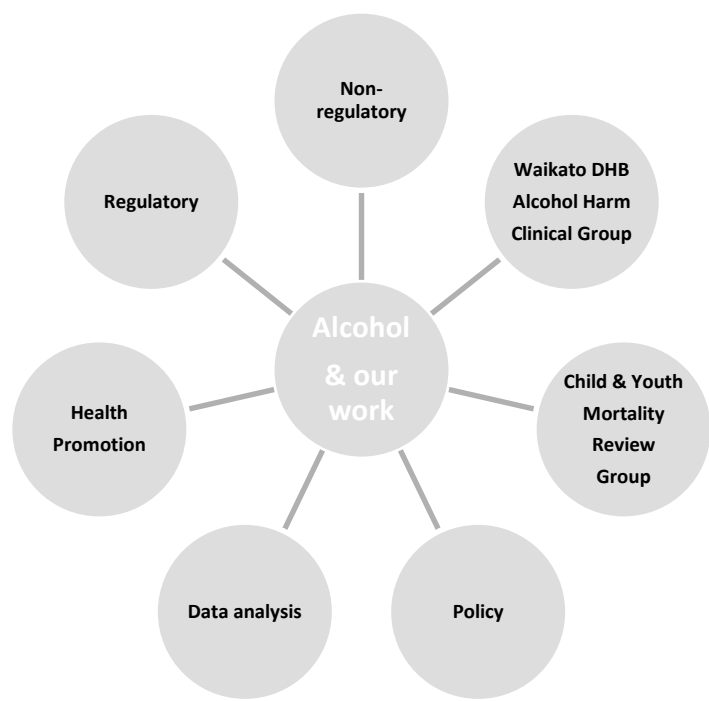


FIGURE 1: PUBLIC HEALTH’S ALCOHOL-RELATED WORK.

This document provides information on the harms associated with alcohol consumption from a health perspective. Local data has been used where available. This document has three main parts: firstly, international literature pertaining to the harms of alcohol is reviewed; secondly, local alcohol-related health data is presented; thirdly, recommended changes to the current Waipa District Local Alcohol Policy are discussed.

This document was originally created in 2013 and had been updated with data relevant to 2022 upon request from the Waipa District Council to assist with a review of their Local Alcohol Policy.

Literature review of alcohol use and associated harms

Alcohol use is associated with a wide range of physical, mental and social harms. Its consumption can affect many organs in the human body and is linked to more than 60 diseases and 3 million deaths globally per annum (1). This accounts for 5.3% of all deaths, which is greater than the number caused by HIV/AIDS, tuberculosis and diabetes (1). In New Zealand, about 800 people under 80 years die because of alcohol annually (2). Of these, 43% are due to injury and 30% are due to cancer (2). The link between alcohol and health is dependant both on the volume of alcoholic units consumed and the pattern of consumption, with binge drinking being particularly dangerous (3). Alcohol has the potential to harm individuals acutely by means of intoxication, alcohol poisoning or accidental harm while drunk, and chronically by means of long-term damage to organ systems.

Who drinks alcohol?

Alcohol is consumed liberally in New Zealand. Seventy-nine percent of New Zealand adults have drunk alcohol in the previous year (4). Heavy drinking patterns are all too common with nearly 19% of adults considered to have a potentially hazardous drinking pattern, and 20% of people consume 6 or more alcoholic drinks on one occasion on a monthly bases (4). Though alcohol consumption is spread diffusely across society the volume and related harms are more concentrated in certain groups such as lower socioeconomic groups and ethnic minorities internationally (3). Males are 1.1 times as likely as females to have consumed alcohol in the past 12 months (4). Twenty-three percent of women consume alcohol during pregnancy (5). Young people also drinking dangerously, with over 70% of secondary school students having drunk alcohol, and 46% of student drinkers consuming over five units the last time they drank (6). People who live in areas of high deprivation are less likely to have consumed alcohol in the past 12 months; however, they are 1.05 times more likely to consume in a hazardous fashion, and 1.15 times more likely to have consumed 6 or more drinks on a single occasion on a weekly basis (4). A similar pattern of drinking is observed in Māori and Pacifica communities, likely resulting from their minority and marginalised status and subsequent exposure to socioeconomic deprivation (4). Māori are more likely to suffer from alcohol-related harm than non-Māori including 2.5 times the age-standardised mortality rate (2).

Acute alcohol effects

Alcohol is classed as a sedative and hypnotic drug. In low doses it acts as a stimulant (which is why many people drink); however, in larger doses alcohol leads to drowsiness, central nervous system depression, and, in severe cases, coma and respiratory suppression (3). Even in low doses, consumption of alcohol increases the probability of certain injuries and illnesses. Alcohol increases self-confidence, while at the same time decreases fine motor skills and balance. This can lead to an individual attempting a physical activity that is beyond their ability, resulting in a fall or crash and physical injury. Other acute alcohol effects include a shortened attention span, and impaired judgement. Implications of this could include distraction while driving leading to a crash or an individual making a poor judgement while drunk, for example, getting into a car with a drunk driver, or overreacting to a perceived insult, which results in a physical altercation. As alcohol intake increases, an individual suffers impaired memory, delayed reaction time and difficulty balancing. Nausea, vomiting and impaired senses can also become a problem. The end result is a person who is not able to react normally, makes poor judgments and has poor balance and coordination. This leaves the individual at risk of injuring themselves and those around them (6).

If an individual makes it to bed without injury, when severely intoxicated they are at risk of vomiting in their sleep and aspirating their vomit. Alcohol disrupts normal sleep cycles resulting in poor sleep quality (3). Hangovers results in poor reactions, attention and motor skills, and an ongoing increased risk of injury. Productivity in the workplace is also decreased (6).

Many people associate the acute effects of alcohol with a good night out. Indeed alcohol is often seen as a requirement for social participation and enjoyment. Alcohol-related harm is anticipated and there is a degree of tolerance to it which is not extended to other drugs. Temporal dissociation between acute alcohol consumption and chronic disease from alcohol contributes to the establishment of regular drinking patterns in young people, which continue into adulthood. For many people, alcohol consumption will never cause any serious harm. For others addiction or dependence will develop, which can have social, economic and health effects. For many more longer term alcohol consumption will lead to one of the many health problems associated with sustained alcohol intake, a few of which are discussed in the following sections.

Chronic alcohol effects

Chronic liver disease

Consumption of alcohol can lead to a fatty liver, hepatitis and cirrhosis. It can also cause pancreatitis (inflammation of the pancreas). Alcohol is one of the leading cause of liver cirrhosis in developed countries (7). The first stage of alcohol-related liver disease is a fatty liver, a build-up of fat cells. Almost all heavy drinkers will have a degree of fatty liver disease. This does not normally cause any symptoms, and if a person stops drinking, it usually reversible. If heavy drinking continues, it can progress to alcoholic hepatitis, an inflammation of the liver. Mild hepatitis causes problems such as weight loss, nausea and vomiting. Hepatitis causes an increase liver enzymes in the blood because of damaged liver cells. Severe hepatitis can cause symptoms of abdominal pain, fevers and jaundice. It can lead to liver failure. Cirrhosis is scarring of the liver and is a result of prolonged or severe hepatitis. It is irreversible and reduces the livers ability to function normally. Ten to twenty percent of heavy drinkers get cirrhosis (3). Complications of cirrhosis include bleeding abnormalities, accumulation of fluid in the abdomen, bleeding from veins in the stomach and liver cancer or liver failure requiring transplant.

Cancer

Alcohol consumption is associated with malignancies at 27 anatomical sites, including cancer of the mouth, oesophagus, stomach, liver and colon and rectum. It is also associated with female breast cancer (8). Daily consumption of alcohol raises the likelihood of cancer by two to three times, an affect that is augmented by smoking (9). Alcohol is a group one carcinogen, meaning that the association between alcohol and cancer strongly supported by evidence.

Cardiovascular disease

Cardiovascular disease causes 19.8% of all deaths attributable to alcohol (1). Despite some evidence that low-to-moderate alcohol consumption can have beneficial effects on the cardiovascular system, the harms outweigh the benefits (10). For instance, in Europe 10.5% of all cardiovascular disease deaths were attributable to alcohol (1). A myriad of cardiovascular diseases can be caused by alcohol, including heart attacks, strokes, hypertension, heart failure and cardiac arrhythmias such as atrial fibrillation.

Mental health and neurological disorder

Alcohol can reduce stress and tension in low dose, and indeed this is one of its attractions to many. However, in higher doses it can create, rather than relieve, stress, and can make people sad, aggressive or prone to mood swings. Alcohol is commonly consumed by people before they self-harm or attempt suicide (3). Heavy alcohol use is associated with a 37-fold increase risk of suicide (1). Alcohol use can lead to dependence, with withdrawal symptoms (including delirium tremens) in people who abruptly abstain, and difficulties maintaining a job or social relationships in people who are addicted.

Alcohol dependent individuals have been shown to have a two-fold increased risk of depressive disorders (1). Alcohol use is not only a cause of depression, but it also worsens symptoms in depressed people, demonstrated by an improvement of symptoms with abstinence and worsening of symptoms with increased consumption. Alcohol use is also linked to poorer control of psychiatric conditions such as anxiety and schizophrenia and neurological conditions such as epilepsy. Chronic alcohol abuse can lead to peripheral neuropathy (loss of feeling in hands and feet) and damage to areas of the brain, which are responsible for speech generation, vision, memory and balance (Wernicke-Korsakoff syndrome).

Foetal alcohol spectrum disorder and pregnancy

Alcohol consumption during pregnancy can have negative health effects for both the mother and the developing foetus. Alcohol passes freely to the foetus across the placenta, and can lead to miscarriage or spontaneous abortion, stillbirth, low birth weight and Foetal Alcohol Spectrum Disorder (FASD) (1). FASD is characterised by physical, behavioural and cognitive abnormalities (11). In addition to dysmorphic facial features, children with FASD suffer prenatal and/or postnatal growth retardation, and structural brain abnormalities which can lead to behavioural problems, a low IQ and learning difficulties. Consequences are life long, and are not always evident at birth (3).

The volume of alcohol consumption which is required to cause these problems is unclear due to multiple confounding factors, although damage to the foetus is more likely if the mother consumes large amounts of alcohol in one sitting, or consumes alcohol regularly throughout pregnancy (12). Drinking alcohol during the first trimester can be particularly dangerous. The Ministry of Health (MoH) acknowledges that there is no known “safe” level of alcohol use at any stage of pregnancy (12). The MoH and the Alcohol Advisory Council of New Zealand (ALAC) recommend that alcohol be avoided while pregnant or when planning a pregnancy. Following this advice could be difficult if a pregnancy is unplanned, if a woman does not know she is pregnant for some weeks following conception, or if she feels compelled by societal norms to drink alcohol at social events. A study in Canada estimated that health care costs related to FASD were \$6.7 million in 2008/09, and considers this to be an underestimate (13).

Sexually transmitted diseases and fertility

Alcohol consumption has been shown to be associated with the spread of sexually transmitted diseases in both men and women (14). Being drunk lowers one's sexual inhibitions making one more likely to engage in sexual activity, and to engage in risky sexual activity, e.g. having unprotected sex or having sex with strangers. Women also have the risk of unplanned pregnancies.

Long-term heavy alcohol use can lead to impotence, loss of sex drive, wasting of testicles and reduced fertility in men as it affects testosterone levels. In women, alcohol use can cause reduced fertility, heavy irregular periods or

amenorrhea (6). Chronic infections with sexually transmitted diseases such as chlamydia or gonorrhoea can also affect fertility.

Burden of disease

It has been estimated that alcohol causes the most harm of all recreational drugs in the United Kingdom (15). In 2016, 5.3% of deaths were a result of harmful alcohol use globally (1). This burden falls disproportionately on males, for instance, 7.7% of male deaths are attributable to alcohol, compared to 2.6% for females (1). Not only do males consume more alcohol, they do so in a riskier way by binge drinking and concurrent smoking (1). Mortality rates are higher in younger age groups, particularly those aged 20 to 39 years (1). The burden of disease in terms of morbidity and mortality is greatest in lower-middle income countries; however, the burden of alcohol attributable cancer is higher in upper-middle-income countries such as New Zealand (1).

In New Zealand, a study in Auckland found that alcohol was consumed in the 6 hours prior to injury in 35% of injured people who presented to an emergency department (16). This is high in comparison to international studies which report that 10-18% of injury presentations to EDs involved alcohol. Youths and males are over-represented in essentially all studies. Furthermore, violence was the cause of 17% of injury cases, and alcohol was involved (victim and/or perpetrator) in 79% of these cases.

Cost burden of alcohol

Quantifying the costs relating to alcohol use on society is complex. Alcohol misuse has costs to many areas of government and health provision including law enforcement, CYFS, St John, and the health care system – both primary and secondary care. As discussed alcohol may often play a part in any given problem or disease, but determining its attributable fraction is complex. However, there is no denying that social costs of alcohol are significant. A 2009 study undertaken by Business and Economic Research Limited (BERL) estimated that alcohol use cost New Zealand society \$4.9 billion in 2005/6 and up to 50% of these costs were avoidable (17). A subsequent report found that alcohol-related injuries and illnesses are costing Canterbury healthcare \$63 million in 2011, and this is a conservative estimate (18). This was a significant and rapid increase from the 2006 estimate of \$38.8 million (18).

Costs to the health care system from alcohol use are not merely limited to particular conditions, but also have knock on effects. For example, the time and resources involved with looking after an intoxicated person in ED denies the health system funds for other services, such as elective surgery. These represent opportunity costs. Reigning in costs associated with alcohol would free up resources for use elsewhere.

Alcohol outlet density and opening hours

Evidence suggests that there is a strong link between the availability of alcohol and alcohol-related harm. Most studies consider *availability theory* when examining the relationship between alcohol outlet density and alcohol-related harm, i.e. greater availability of alcohol leads to greater consumption of alcohol which leads to negative social outcomes (19). Studies have generally found that in areas where there is greater availability of alcohol

through a high density of outlets, there is a higher level of alcohol consumption (20). This often leads to higher levels of alcohol harm, antisocial behaviour and alcohol-related offences. People who drink alcohol later into the night (into the next morning) are both more likely to consume 6+ drinks on a typical occasion and to drink alcohol daily (21). Indeed, in New Zealand an association has been found between hazardous alcohol consumption and availability of alcohol retailers for the following groups: younger Māori and Pacifica males; younger European females; middle-aged European men; and older men (22). Another study found an association between outlet density and alcohol-related harm and off-licence outlet density and binge drinking (23). An association between off-licence outlet density and social harms, but a mixed relationship with on-licence stores has also been found (24) as well as an association between off-licence outlets and motor vehicle accidents and police events (25).

International evidence suggests that high outlet density in areas of high deprivation is disproportionately harmful, compared to areas of low deprivation (26, 27). A New Zealand study showed a relationship between the harm from on-licence outlets density and social deprivation in addition to a relationship between rurality and harm from off-licence outlet density (24).

There are several studies that link opening hours to consumption and alcohol-related harm (28). Studies from several countries concluded that extensions in opening hours for alcohol stores resulted in increased alcohol-related injuries, chiefly vehicle related injuries and assaults. Studies looking at the effect of a reduction in opening hours have shown a significant decrease in alcohol-related harm (29). Local data from the Police following a reduction in opening hours in Timaru showed a reduction in violent offending, not just a change in the time these occurred (30). Furthermore, the introduction of national trading restrictions in 2013 resulted in an 11% reduction in weekend hospitalisations for assault and 9.7 fewer police documented night-time assaults per week (31). People aged 15 to 29 years saw the greatest benefit with an 18% reduction in weekend hospitalisations for assault. The effect of closing hours on alcohol sales appears to be greater than opening hours; however, earlier opening hours are associated with greater amount of alcohol sales (32).

Notably, 73% of alcohol is consumed in private homes, suggesting that policy that affects off-licences has the greatest potential to reduce alcohol consumption (33).

Alcohol pricing packaging

The price of alcohol is inversely proportional to consumption and harm. For instance, a 10% increase in the price of alcohol is estimated to reduce consumption by 5% (34). Data from New Zealand suggests that there is an association between lower priced alcohol and drinking 6+ drinks on a typical occasion (21). This effect is observed in both on- and off-licenced premises. There is also an association between the low price of alcohol and daily drinking; however, this is only observed in off-licences premises.

The quantity of alcohol sold per package can affect harm. A study from the USA found an association between single serve alcoholic beverages and violent crime (35). Furthermore, the implementation of restrictions on single-sale beverages in inner city, urban minority communities in the USA resulted in a decrease in the rates of ambulance pickups for intentional injuries in 15 to 24 year olds (36).

Visual impact of alcohol marketing

Whilst there are many factors that may contribute to an individual's decision to consume alcohol, the impact of marketing is considerable. Marketing plays a significant role in the normalisation of alcohol as part of everyday life. At a community level, this is seen most clearly through the visual impact of off-licence stores, where advertising features heavily on the outside of the building. There is increasing evidence that alcohol advertising can impact on an individual's decision to take up drinking, or to increase consumption if they are already drinking (37). Studies in the United States have shown that young people in areas with higher levels of expenditure on alcohol advertising drank more than areas of lower spending (37). Studies into the effects of long-term exposure have also shown a change in beliefs towards alcohol and increased self-reported consumption (37). Alcohol advertising has been linked with identity formation in young people, which may have an impact on decisions to drink. In addition to young age, people with incomplete neurocognitive development or a history of alcohol dependence may also be more vulnerable to alcohol marketing (38). Research has suggested that the effects of marketing on beliefs about alcohol counteract possible effect from health promotion messages (37).

In New Zealand, children aged 11 to 13 years are exposed to alcohol marketing 4.5 times per day (39). Of these, 31% are shop front signage, 19% on-licence retailers and 16% off-licence retailers. Tamariki Māori have a 5.4 times greater exposure to alcohol advertising compared to European children.

Hospitalisation data

Coding alcohol-related presentations in Waikato Emergency Departments

Emergency Departments were mandated to record whether alcohol was involved in each presentation (attendance at an ED whether admitted to hospital or not) since July 2017 nationally; however, the data quality was low in the Waikato until November 2019 when the electronic field became a compulsory entry field on each patient's discharge summary.

Alcohol involvement is recorded in to the following categories:

- Primary, alcohol consumption is directly associated with this presentation.
- Secondary, where the presentation was related to alcohol consumption of a person other than the patient. For example, an alcohol-related assault or car crash involving a drunk driver.
- Unknown, could not determine if alcohol is associated with this presentation.
- No, Alcohol consumption is NOT directly associated with this presentation.

Coding of presentation is still limited in that the involvement of alcohol is unknown in 18% of ED presentation. It is likely that a significant portion of this represents poor data entry by over-stretched staff, rather than cases where alcohol involvement could not be obtained. For this analysis we assume that unknown is not alcohol-related. Furthermore, it is currently unknown if this process is consistent across all facilities collecting these data.

The data collected with this method is very useful in terms of identifying the burden of alcohol on acute presentations (e.g. presentations that are at least in part attributable to alcohol consumption), it still fails to identify

the myriad of chronic conditions in which alcohol is a risk factor. An example of this is oral cancer, which is linked to alcohol abuse, but also has other risk factors, e.g. smoking.

The following data pertains to ED presentations from 01/01/2021 to 31/12/2022 unless otherwise specified, and from all hospitals in the Waikato region (Waikato Hospital, Thames Hospital, Te Kuiti Hospital, Tokoroa Hospital and Taumarunui Hospital). It does not include data about A&Es, GP, or ambulance attendances.

Overview

In the three-year period 01/01/2020 to 31/12/2022, 8330 (2.3%) of the 367,200 ED presentation in the Waikato region were flagged as alcohol-related. These presentations cost the Waikato District Health Board nearly 25,200 bed hours and \$2.76 million. Ninety-seven percent of alcohol-related presentations are in people who are the primary consumers of alcohol. Sadly, 190 people died during their presentation. It is worth reiterating that these presentations predominantly represent acute presentations, where alcohol can be confidently identified as a causal factor, and does not capture the many cases of chronic disease for whom alcohol is a contributing factor.

Seven hundred and eighteen (8.6%) alcohol-related ED presentations during this period were of people with a usual place of residence in the Waipa District. This is smaller than the 13.4% of the Waikato District Health Board population that resides in the Waipa District as estimated by Statistics New Zealand population estimates (40). Fifteen (7.9%) of the alcohol-related hospital deaths were of people who resided in the Waipa District.

Patients receive a triage code when they present to ED. This code ranges from 1 to 5 with 1 being emergencies who required immediate attention due to imminently life-threatening conditions, and 5 being the least urgent cases. Of the 718 alcohol-related ED presentations from Waipa District from 2020 to 2022 536 (75%) had a triage code of 1 (immediately life threatening), 2 (imminently life-threatening, or important time-critical >10 minutes) or 3 (potentially life-threatening, potential adverse outcomes from delay > 30 minutes, or severe discomfort or distress) indicating moderate to high acuity. Not only does this reflect potential harm to the patients, but also the significant burden on ED staff who may be drawn away from other patients to address high acuity issues. Waipa District residents took up over 2500 ED bed hours during these three years, each averaging 399 minutes (6.6 hours). Eight of these patients presented to Thames Hospital, four to Tokoroa Hospital, three to Te Kuiti and the rest (703) to Waikato Hospital.

Timing of presentations

Due to the small amount of available data, this section uses data for the Waikato region, allowing for a better assessment of patterns. Trends for Waipa would not be expected to be substantially different from what is reported. Summer is a particularly busy time for EDs with respect to alcohol-related presentations. The months from December to March are the four months where the proportion of presentation that are alcohol-related are at their highest ([Figure 2: Alcohol-related presentation by month](#)). Thirty nine percent of alcohol-related presentation fall within that four-month period.

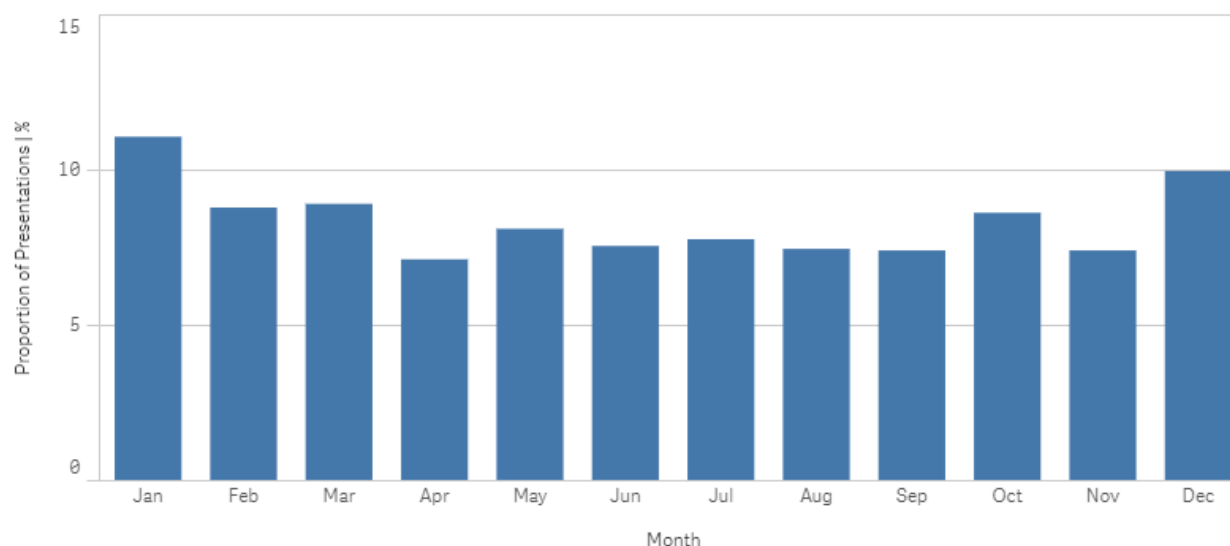
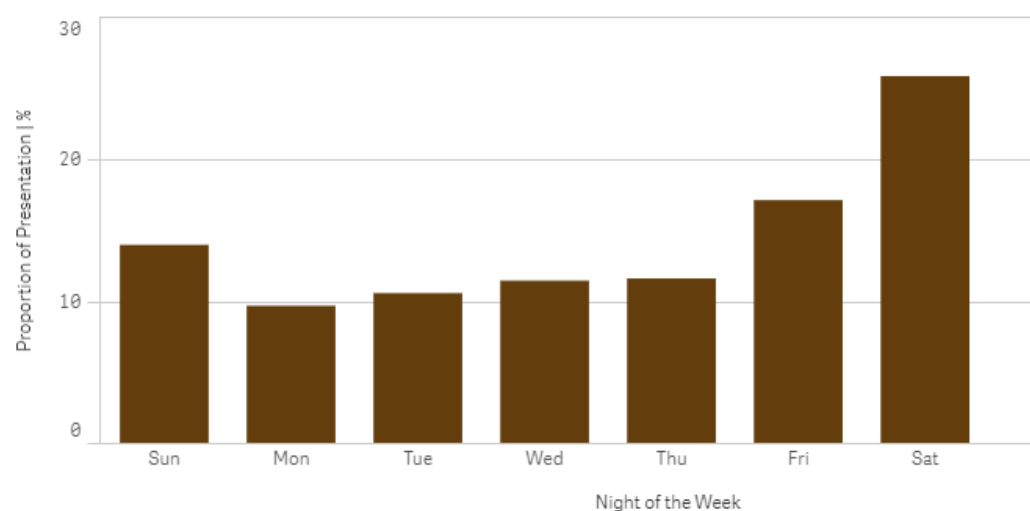


FIGURE 2: ALCOHOL-RELATED PRESENTATION BY MONTH AS A PROPORTION OF ALL ALCOHOL-RELATED PRESENTATIONS, WAIKATO REGION 2020-2022.

As might be expected, the majority (57%) of alcohol-related presentations occur in the period from Friday night to Monday morning. The peak burden of ED is on Saturday night (including Sunday morning) when a quarter of alcohol-related cases occur ([Figure 3](#)).



Time shifted back 12 hours eg Mon morning arrivals are in Sun night bar

FIGURE 3: ALCOHOL-RELATED PRESENTATIONS BY NIGHT OF THE WEEK AS A PROPORTION OF ALL ALCOHOL-RELATED PRESENTATIONS, WAIKATO REGION 2020-2022.

The ED arrival time of alcohol-related presentations is bimodal, with a large peak between 23:00 and 01:00 and a smaller peak between 11:00 and 12:00 (Figure 4). Alcohol-related presentations start to increase from 18:00 in the evening and increase steadily until the midnight peak.

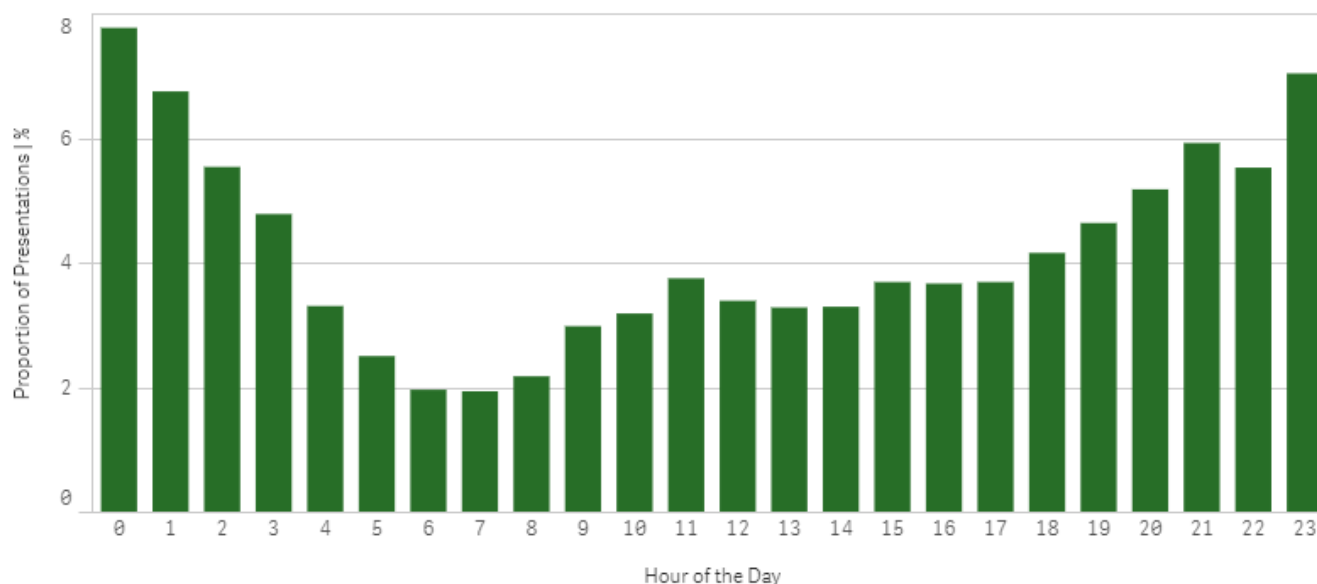


FIGURE 4: ALCOHOL-RELATED PRESENTATIONS BY ARRIVAL TIME AS A PROPORTION OF ALL ALCOHOL-RELATED PRESENTATIONS, WAIKATO REGION 2020-2022.

Events with alcohol consumption increase harm. For instance, crate day is an unofficial observance in which participants attempt to consume an entire “swappa crate” of beer, taking place on the first Saturday of December. Crate day was conceived and promoted by The Rock radio station in 2009 with subsequent advertising produced by the alcohol industry (41). In 2019 and 2020 (2021 was interrupted with COVID-19 lockdowns) the number of alcohol-related ED presentations was two- to three-times greater on crate day compared to the following day (Figure 5). The rate of alcohol-related presentations across the weekend on which crate day falls is twice that of adjacent weekends. Crate day demonstrates how alcohol promotion can have a significant and sustained harmful effect on health.

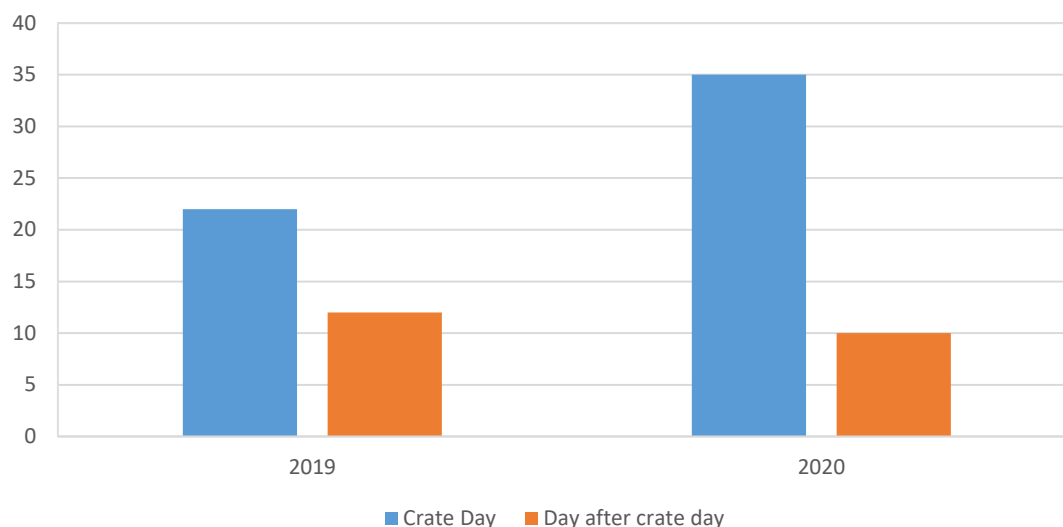


FIGURE 5: NUMBER OF ALCOHOL-RELATED PRESENTATIONS ON CRATE DAY AS COMPARED TO THE NEXT DAY, WAIKATO REGION.

Demographic patterns

The following data pertains to people who presented to a Waikato Region hospital and had a usual place of residence listed as Waipa District. The number of alcohol-related presentations are highest in the 15- to 24-year-old age group, and then decreases steadily as age increases ([Figure 6](#)). Although the absolute number of presentations decreases, so too does the population; therefore, the rate of alcohol-related ED presentations is more or less stable after the age of 55.

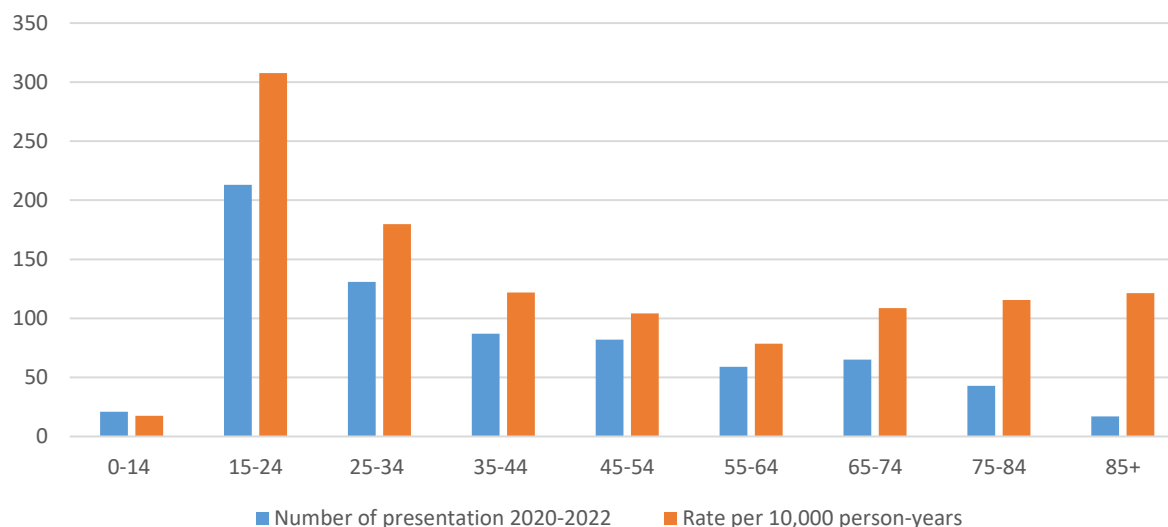


FIGURE 6: NUMBER OF ALCOHOL-RELATED ED PRESENTATIONS FROM WAIPA DISTRICT BY AGE GROUP, 2020-2022.

Males are more likely to present to ED's within the Waikato catchment with an alcohol-related presentation in a 1.3-to-1 ratio ([Figure 7](#)). This is consistent with international data suggesting that the harms from alcohol falls disproportionately on males.

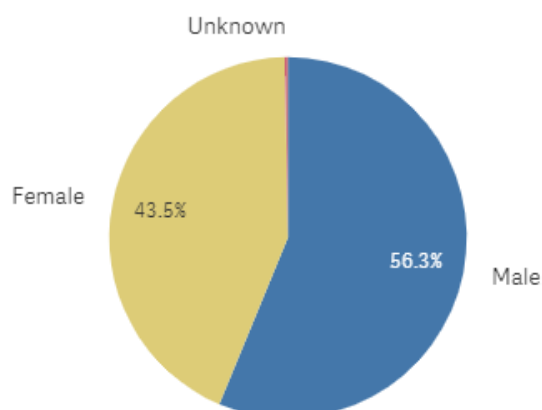


FIGURE 7: PROPORTION OF ALCOHOL-RELATED ED PRESENTATIONS FROM WAIPA DISTRICT BY GENDER, 2020-2022.

Typically, there is a linear relationship between socioeconomic status and alcohol harm, the higher the deprivation (e.g. quintiles 4 & 5) the higher the rates of alcohol harm. In the Waipa District, the number and rate

of alcohol-related ED presentations are from people in high-deprivation areas (quintile 4), there are low numbers of presentations from people in quintile 5 (highest dep) however there are few people in this quintile in Waipa District ([Figure 8](#)). A count of alcohol-related ED presentations for Waikato as a whole in 2020-2022 has been provided for comparison ([Figure 9](#)).

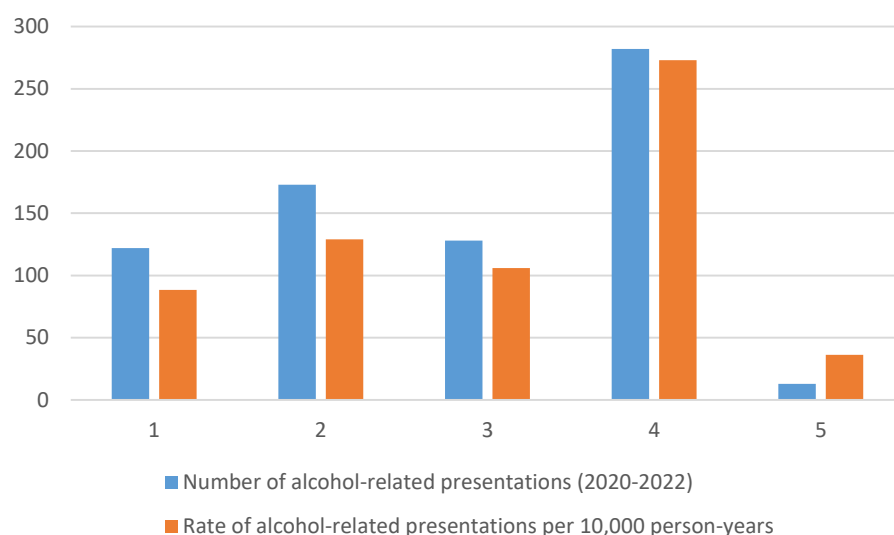


FIGURE 8: ALCOHOL-RELATED PRESENTATIONS FROM WAIPA DISTRICT BY DEPRIVATION AREA (QUINTILES NZDEP13), 2020-2022. THE POPULATION USED AS A DENOMINATOR FOR RATES WAS USUAL RESIDENT POPULATION 2018.

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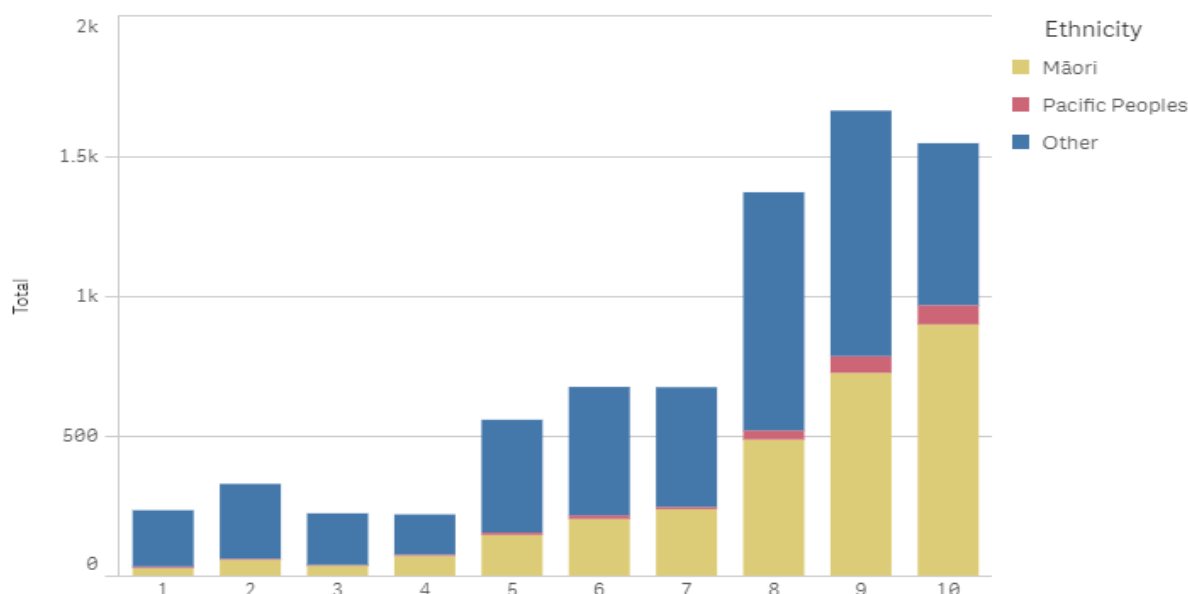


FIGURE 9: ALCOHOL-RELATED ED PRESENTATIONS FOR WAIKATO REGION 2020-2022 BY DEPRIVATION AREA (DECILE NZDEP13) AND PRIORITISED ETHNICITY

Alcohol-related ED presentations tend to come from people who reside in a town (Te Awamutu South and Leamington East, [Figure 10](#)). Te Awamutu South had the highest absolute number of presentations.

Number of ED related Presentations by Patient Domicile

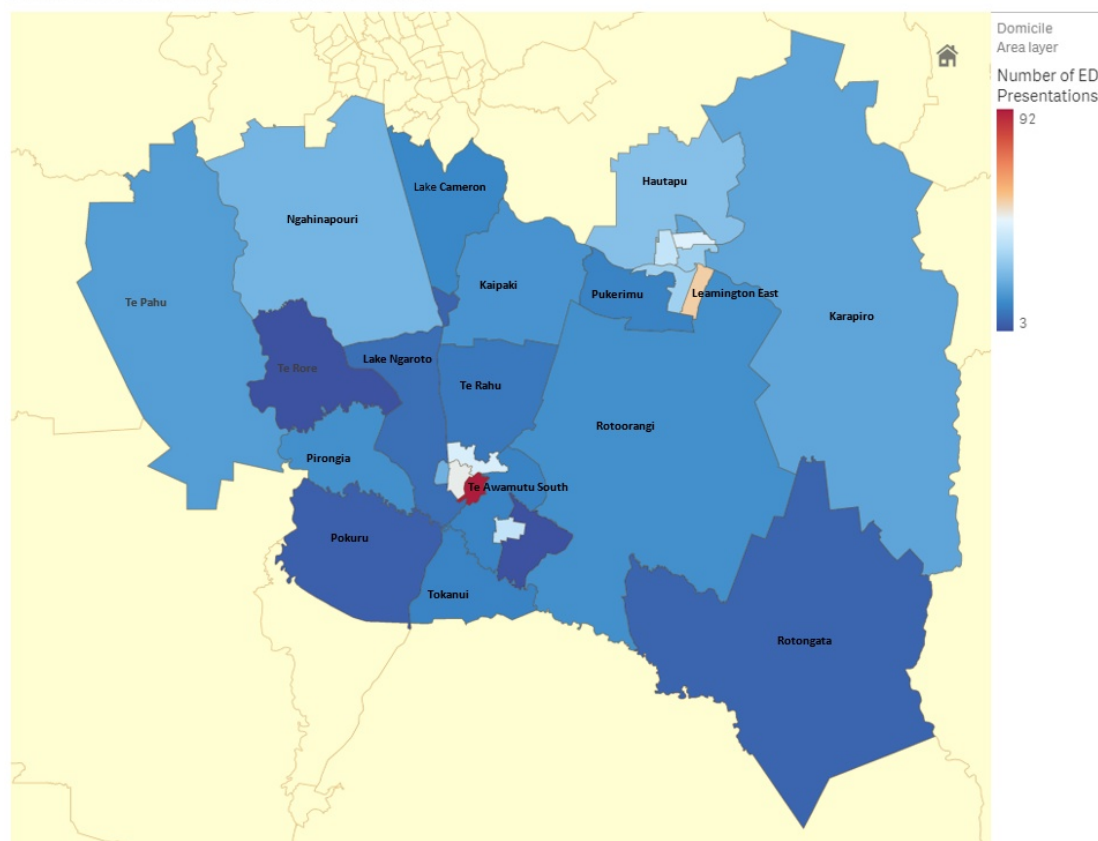


FIGURE 10: CHOROPLETH OF NUMBER OF ALCOHOL-RELATED ED PRESENTATIONS BY PATIENT DOMICILE 2020-2022.

A greater number of alcohol-related ED presentations from Waipa District are in non-Māori (75.1%); however, when considering population size Māori had a higher rate of alcohol-related ED presentations in 2020-2022 ([Figure 11](#)). This is likely driven largely by the disproportionate amount of socioeconomic deprivation in Māori communities, emerging from historical injustices.

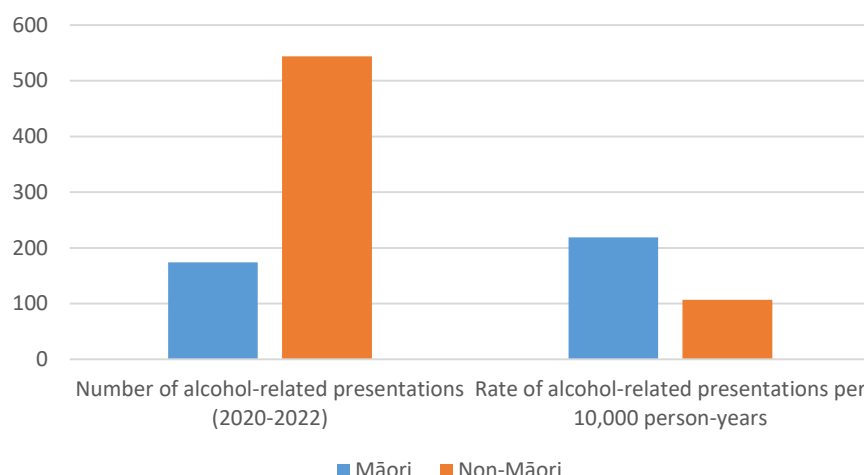


FIGURE 11: ALCOHOL-RELATED ED PRESENTATIONS FROM WAIPA DISTRICT BY PRIORITISED ETHNICITY. REFERENCE POPULATION WAS THE 2018 USUAL PLACE OF RESIDENCE.

Alcohol-attributable hospitalisations

Estimating the burden of alcohol on health using the above methodology is informative; however, it will inevitably miss a large cohort of harm caused by alcohol, when the link between alcohol and disease is subtle, therefore, not immediately identifiable at the bedside. This is likely to be the case for conditions like cancer and heart attacks, where there is temporal dissociation between disease and consumption and the cause of disease is multifactorial.

Fortunately, there are statistical methods available to estimate this burden, which combine information about the cause of hospitalisations (or deaths), drinking patterns in the population, and the expected added risk of disease due to alcohol. For example, a study estimated that 5.4% of deaths in 2007 in New Zealand in people aged under 80 years were attributable to alcohol (2). It has also been estimated that 4.3% of deaths from cancer in that group were attributed to alcohol (42). The Waikato Public Health Service is currently working on a project that utilises these methods to estimate the amount of hospitalisations that are attributable to alcohol. The estimates for the proportion of cases of a particular disease or injury that are caused by alcohol consumption are known as alcohol-attributable fractions or AAFs. For some conditions, alcohol consumption causes all cases (wholly) and so all admissions for these conditions are included e.g. alcoholic liver disease. Other conditions are partially attributed to alcohol, meaning that only a fraction of these cases can be attributed to alcohol consumption e.g. cancer of the oesophagus or assault. Together, the two make up all alcohol-related hospital admissions. The alcohol-attributable fractions used to estimate alcohol-related admissions here were produced by the Department of Health Western Australia (43). AAFs for non-Aboriginal people were used as AAFs for both Māori and non-Māori. Using a narrow definition of hospital admissions (i.e. primary diagnoses only) shows that there are over 538 alcohol-related admissions to Waikato hospitals for Waipa people, of which 90 are wholly attributable. The highest number of admissions are from Te Awamutu South.

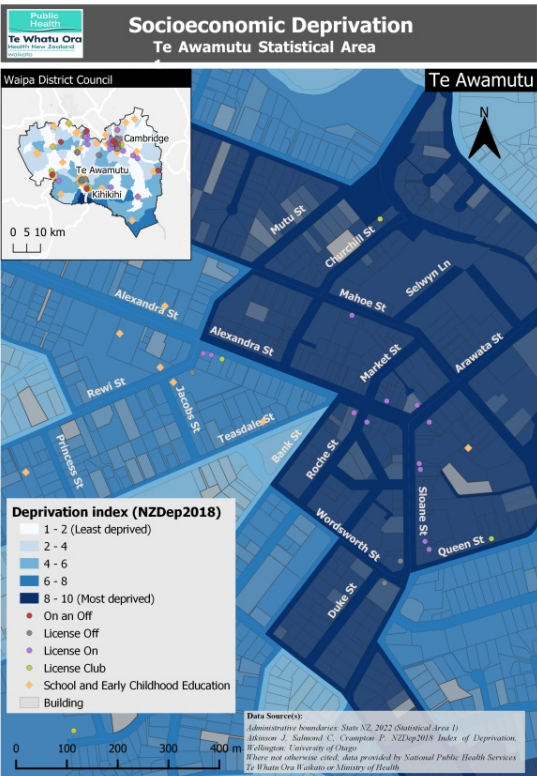
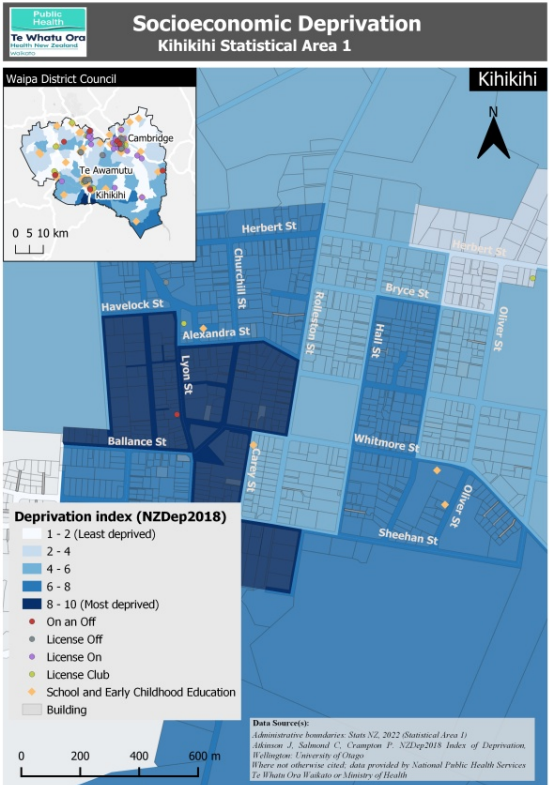
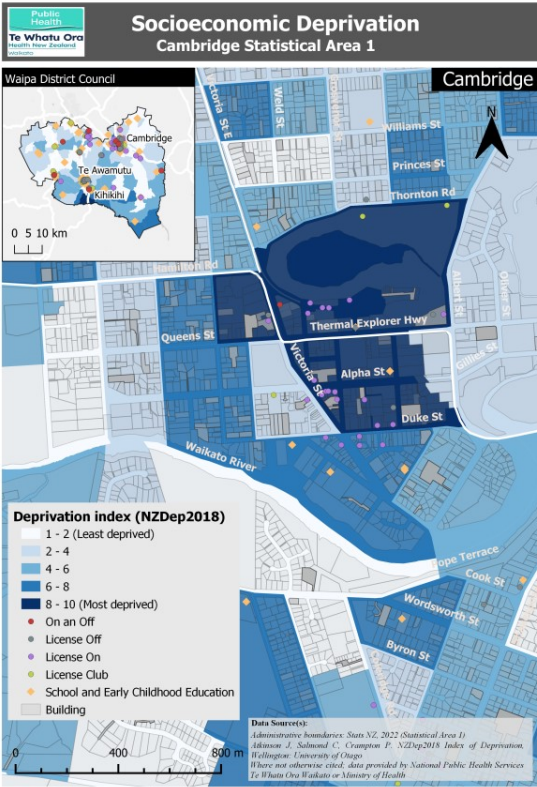
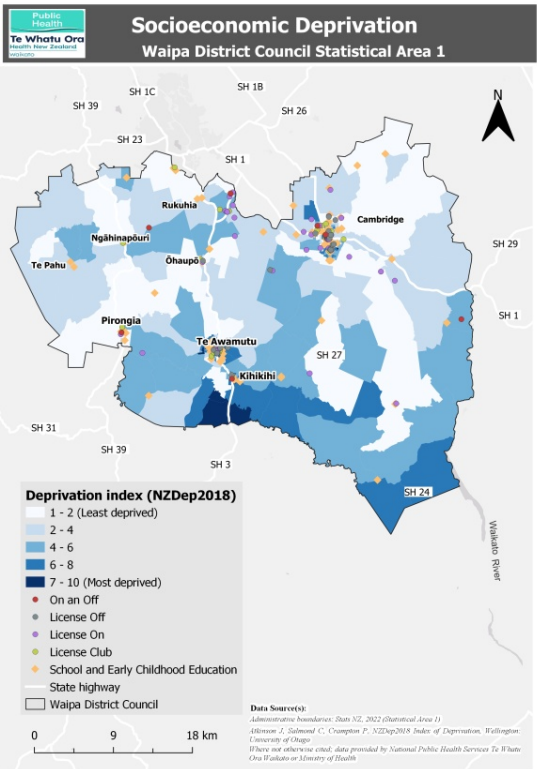
Conclusions from the data

Alcohol places a significant burden on hospitals in the Waikato Region with 2.3% of Emergency Department presentations being identifiable as alcohol-related. This is an underestimate of the total burden as it only counts cases where alcohol was identifiable as a cause at the bedside, missing the multitude of illness for which alcohol is a hidden causal factor. This burden varies over time with the greatest burden falling in summer, over the weekend, midnight and on days with events that promote alcohol consumption. Local Alcohol Policies should be designed to mitigate harm during these high-risk periods. Some demographic groups are more vulnerable to the harms of alcohol than others. Those at greatest risk are young adults from the age of 15 to 24 years (though harm remains relatively high through to the age of 44), males, those of medium and high socioeconomic deprivation and Māori. Notably, areas of high deprivation as well as low deprivation in Waipa District appear to have been of particularly high risk in 2020 to 2022.

Geographic distribution of alcohol outlets

It can be helpful to visualise the distribution of alcohol outlets in relation to other entities of interest in order to identify risks and opportunities to improve policy. To these ends, we have created maps of alcohol outlets with deprivation and education centres. Please note that these data are from Public Health Unit records, which may differ slightly to WDC records.

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shows maps of
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alcohol outlets in Waipa District in relation to area level deprivation (statistical area 1 level), school, and early childhood education centres. The figure includes close in views of Te Awamutu, Cambridge and Kihikihi. In Cambridge and Te Awamutu, the alcohol outlets are concentrated in deprivation quintile 5 (decile 9 and 10) areas. In Kihikihi, alcohol outlets are concentrated in quintile 4 (decile 7 and 8) areas. This means that alcohol outlets are concentrated in high deprivation areas, which contain communities that experience more alcohol related harm.

In Cambridge, there is good separation between education centres and alcohol outlets. In Te Awamutu, education centres tend to be separated from alcohol outlets; however, there is one education centre with an off-licenced premise in the adjacent block. In Kihikihi, there is one education centre, which is around 100m away from a licenced club.

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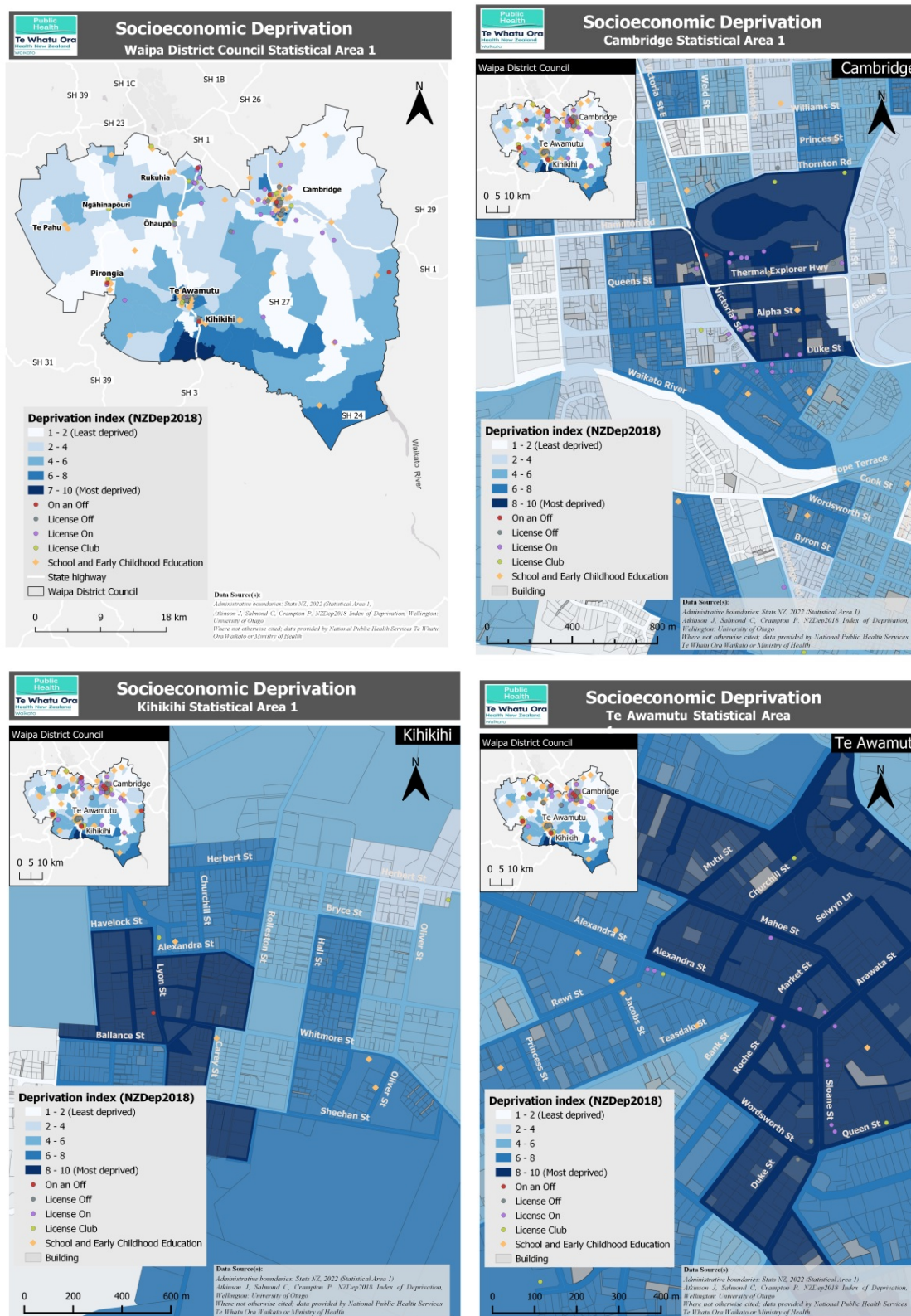


FIGURE 12. MAPS OF ALCOHOL OUTLETS IN WAIPA DISTRICT WITH AREA LEVEL DEPRIVATION, SCHOOLS, AND EARLY CHILDHOOD EDUCATION CENTRES. TOP LEFT IS OF WAIPA DISTRICT. TOP RIGHT SHOWS CAMBRIDGE. BOTTOM LEFT SHOWS KIHIKIHI. BOTTOM RIGHT SHOWS TE TWAMUTU.

Applications sought for bottle stores within 200 metres of sensitive sites

Liquorland Cambridge (2019)

Best start Cambridge opened in 2019 at 55 Shakespeare Street Leamington. In July 2019 a new off licence for a bottle store was sought at 57 Shakespeare Street Leamington. The application stated they did not directly border any childcare centre. The new off licence was granted in November 2019.

In this instance and as can be seen by the site plan and proposed signage below, the shop frontage does not directly border the childcare facility. Further to this:

- The two premises have their own entrances: the applicant's from Cook Street, and the childcare facility from Shakespeare Street.
- The two premises have their own car parking facilities;
- The main signage fronts on to Cook Street with a relatively small sign visible from Shakespeare Street. No signage will be visible from the childcare facility.
- The external play area for the children borders the applicant's loading and refuse area. This will be screened by a close board fence 1.8m high.

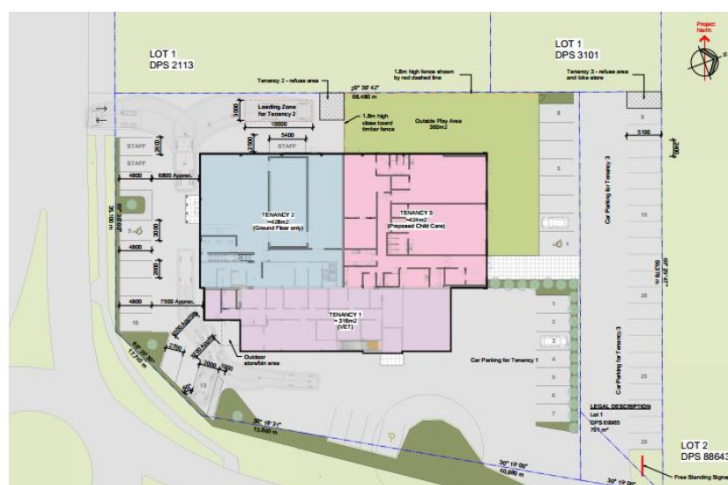


Figure 13. Excerpt from new off licence application form Liquorland Cambridge (9 July 2019)



Figure 14. Google image of Liquorland Cambridge

451 Alexandra Street, Te Awamutu (2020)

In 2020 a new bottle store off licence was sought for a premises at 451 Alexandra Street, Te Awamutu. The site was previously a service station. This premises is situated less than 100 metres from Central Kids, Rewi Street Kindergarten and Learning Links 486 Alexandra Street. Fifteen public objections were received including from Central Kids Kindergarten. The applicant from the bottle store assessed the provisions of the Waipa Local Alcohol Policy and determined the premises does not directly border any existing school, early childcare facility, or place of worship. Fortunately, the applicant withdrew the application and it was not granted.

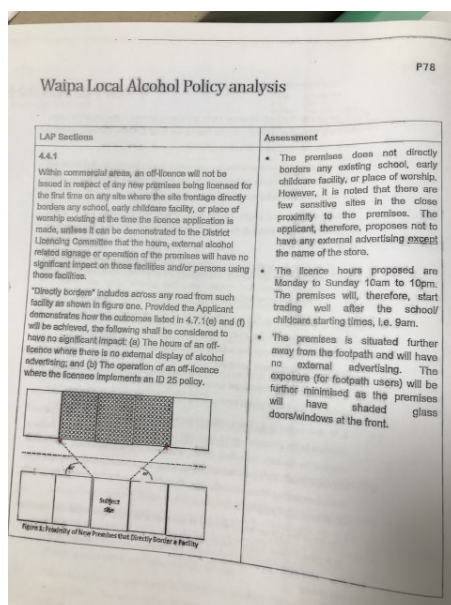


Figure 15. Excerpt from new off licence application Alexandra Street Liquor Plaza (22 June 2020)



Figure 16. Excerpt from the new off licence application Alexandra Street Liquor Plaza (22 June 2020)

Ohaupo Drinks Station (2021)

In 2021 a new bottle store off licence was sought to be located at 126 Great South Road. Eight public objections were received including from the Principal of Ohaupo School and the chair person of the board of trustees. No provisions of the LAP were considered relevant to this application. The store was granted an off licence in 2022.

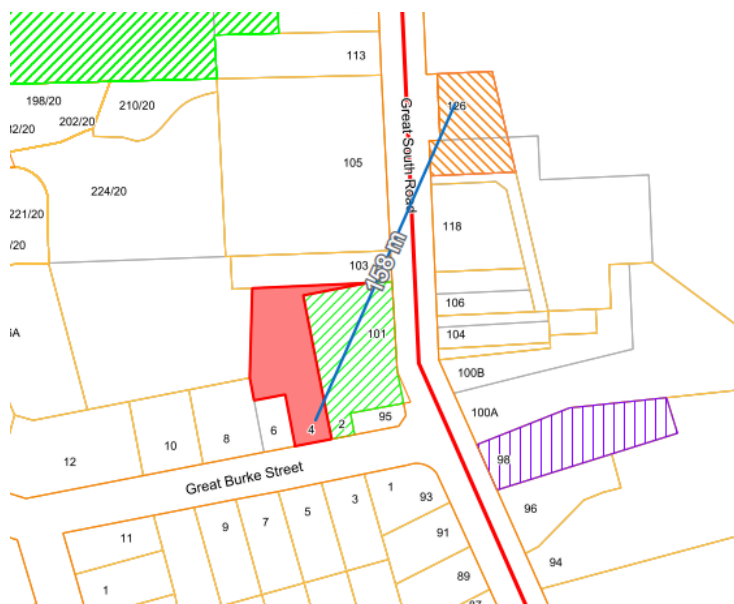


Figure 17. Map showing the distance between Grasshoppers Early Childcare Centre and Ohaupo Drinks Station



Figure 18. Photo showing Ohaupo Drinks Station from the main road



Figure 19. Photo showing Ohaupo Drinks Station from the main road



Figure 20. Photo showing Ohaupo Drinks Station from the main road

Blue Drops Cambridge (2021)

In 2021 a new off licence was sought to be located at 91 Victoria Street, Cambridge. Cambridge Baptist Church is located 140 metres from the proposed site. A number of public objections were received after the cut off date. These included from the Selwyn Retirement Village, and the Motel. No provisions of the local alcohol policy were deemed relevant and the new off licence was granted in December 2021.

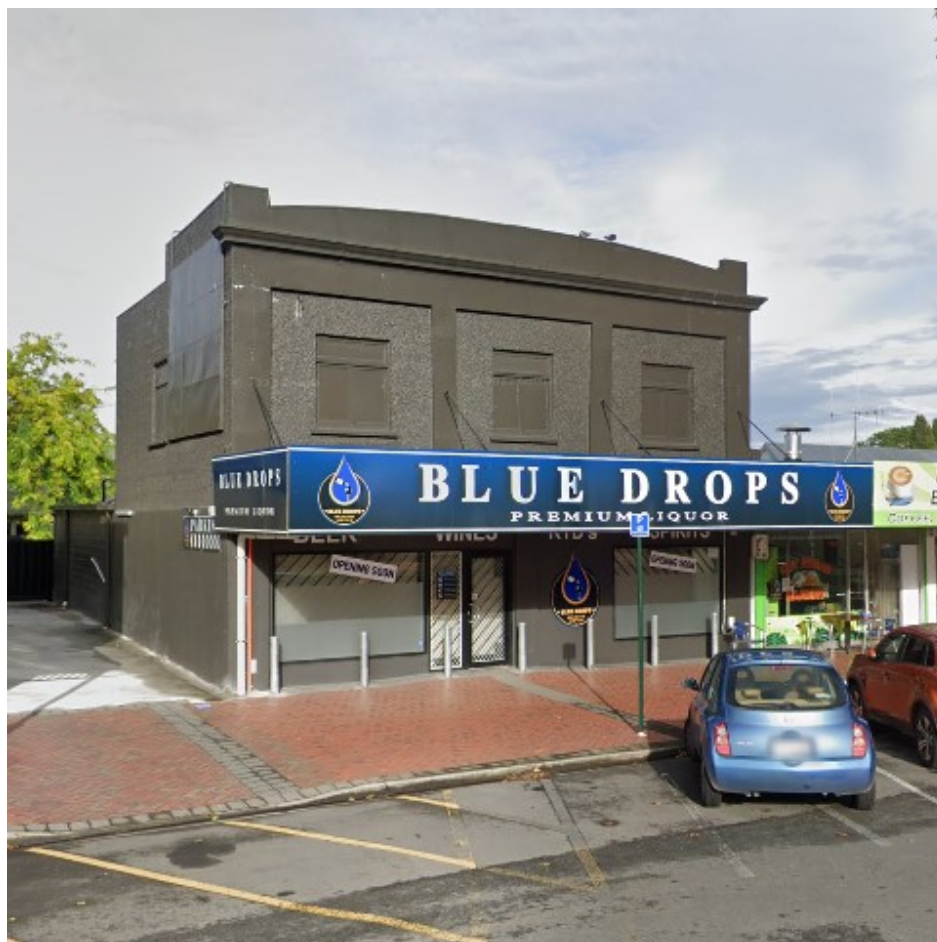


Figure 21. Google images showing Blue Drops from the main road

Public Health recommendations

The following table contains Public Health recommendations for changes to the current Waipa District Council's Local Alcohol Policy updated following the Supreme Court Decision on the Auckland Local Alcohol Policy. This includes responses to an email request from the Waipa District Council to advise and provide information on alcohol related harm and the current LAP. Unless otherwise specified we recommend no change to other sections of the current Waipa District Council's Local Alcohol Policy.

Current policy	Recommendations and rationale
Off-licences	
Number and density of outlets	
4.3 Location of premises holding off-licences by reference to proximity to premises of a particular kind or kinds 4.3.1 When considering a new licence application for a new premises being licensed for the first time, the DLC will have regard to the proximity of the proposed premises to other off-licensed premises where it considers this relevant. 4.5. Further issuing of off-licences in the District 4.5.1. This policy does not limit the number of off licence premises or restrict the issue of new licences, provided the other policy criteria are met.	Higher density of alcohol outlets results in greater accessibility, sales, consumption and harm. Setting limits on the density of outlets can reduce this harm. We recommend strengthening the current policy addressing off-licence density. We recommend creating limits within the policy rather than leave discretion to the District Licensing Committee. For instance: 1. Setting a radius of consideration, for example "No new off-licence in respect of a bottle store shall be issued for any premises located within one (1) kilometre of the legal site boundary of any existing bottle store, licensed supermarket or grocery store". 2. Setting a cap to the number of available off licences per town. For example "The number of standalone bottle store off-licences issued in the urban areas of Cambridge, Leamington, Te Awamutu and Kihikihi shall not exceed the number existing at the date this LAP comes into force)". Such policies should consider the density of all types of off-licence premises such as bottle stores, supermarkets, grocery stores, taverns and hotels.
Proximity to community facilities	
4.4 Location of premises holding off-licences by reference to proximity to facilities of a particular kind or kinds 4.4.1 Within commercial areas, an off-licence will not be issued in respect of any new premises being licensed for the first time on any site where the site frontage directly borders any school, early childcare facility, or place of worship existing at the time the licence application is made, unless it can be	The current wording of the LAP should be amended as follows: Within commercial areas an off-licence will not be issued, in respect of any new premises being licensed for the first time, on any site within 200 metres of the legal boundary of any school, early childcare facility, or place of worship existing at the time the licence application.

demonstrated to the District Licencing Committee that the hours, external alcohol related signage or operation of the premises will have no significant impact on those facilities and/or persons using those facilities. "Directly borders" includes across any road from such facility as shown in figure one. Provided the Applicant demonstrates how the outcomes listed in 4.7.1(e) and (f) will be achieved, the following shall be considered to have no significant impact: (a) The hours of an off-licence where there is no external display of alcohol advertising; and (b) The operation of an off-licence where the licensee implements an ID 25 policy.	We recommend public parks and libraries (due to their use as shelters for the homeless) to list of sensitive sites. Furthermore, we recommend adding and adding marae (due to inequitable burden of alcohol harm on Māori), medial facilities, and alcohol treatment centres to the list of sensitive sites.
Hours of trade 4.6 Maximum trading hours for premises holding off-licences 4.6.1 No off licence shall be issued or renewed with trading hours that exceed Monday to Sunday 7.00am to 0.00pm (subject to section 48).	Subsequent to the outcome of the Auckland LAP Supreme Court appeal we recommend an earlier closing time 07:00am – 09:00pm for bottle stores, tavern off licences, and manufacturers
Discretionary conditions 4.7 Discretionary conditions	We recommend addition of discretionary conditions that relate to the following: - Limiting display of certain alcohol product types. This may help address the display of particularly appealing products such as RTD within the view of the front entrance and windows of the premise. - limiting the external advertising on a premises. - Limiting sale of alcohol products that pose high risk of harm due to price and packaging. For example, conditions relating to the sale of single shots and single sale of beer, cider, or RTDs priced at, or less than, \$6 per unit. Such a policy was implemented by ARLA on a bottle store in Pleasant Point ([2021] NZARLA 123). - Banning sale of non-alcoholic products that pose a high risk of harm. Such a condition should aim to prevent the sale of risky legal high type products such a nitrous oxide. - Remote sale of alcohol. Such conditions should aim to address the delivery of alcohol without proof of delivery, and delivery to intoxicated persons or under aged persons. A condition implemented by the Hamilton City Council DLC ([2021] NZDLCHAM 574) contained the following restriction - "The outside of the delivery package must contain the following words: COURIER WARNING

	- Do not leave at destination without proof of delivery. - Do not leave with persons under 18 years of age. If the receiver appears to be under the age of 25 years check valid identification such as current passport, NZ drivers 2 licence or Hospitality NZ 18+ Card/Kiwi Access Card, to ensure the receiver is 18 years of age or over. - Do not leave with intoxicated persons. - Contains alcoholic product."
On-licences	
Hours of trade	
3.6 Maximum trading hours for premises holding on-licences 3.6.1. No on licence shall be issued or renewed for any hotel or tavern premises with trading hours that exceed the following (subject to sections 46 and 47 of the Act): (a) Monday to Sunday 9.00am to 2:00am the following day 3.6.3 No on-licence shall be issued or renewed in respect of any restaurant, café or function centre premises with trading hours that exceed the following (subject to sections 46 and 47 of the Act): (a) Monday to Sunday 7.00am to 1.00am the following day.	We recommend reviewing all hotel or tavern premises current on-licence actual closing times (rather than licenced) with a view to changing the on-licence closing time to midnight or 1:00am the following day if there are no on-licences currently actually operating beyond this time. As above for hotels and taverns if no restaurant, café or function centre premises is currently actually selling alcohol beyond midnight we recommend revising the default closing time to midnight. We recommend that the list of sensitive sites is extended and Policy 2.1 Definitions is updated to include other sensitive sites. We recommend public parks, Maraes, community facilities, school and rehabilitation treatment centre is added to list of sensitive sites. It is Inspectors submission that a new overall Policy is created that is common to all new on and club licenses premises as follows: Location of premises holding new on and club licences by reference to proximity to facilities of a particular kind or kinds. <i>(a) New On and Club licences will not be issued in respect to any new premises being licenced for the first time on any site where the application site is located within a 200 metre radius from the proposed site to the boundary of any sensitive site that includes, but is not limited to any rehabilitation treatment centre, school, early childcare facility, place of worship, Marae, community facility or public park existing at the time the licence application is made, unless it can be demonstrated to the District Licencing Committee that the hours, signage or operation of the premises will have no more than minor effects on</i>

	<i>those facilities and/or persons using those facilities</i> It is also recommended sensitive sites are extended to include: (a) Rehabilitation treatment centre includes residential support houses and inpatient or outpatient units that provide support or treatment of alcohol, drug or substance abuse or addiction. (b) Marae includes a communal or sacred place that serves religious and social purposes in Māori societies that provides everything from eating and sleeping space to religious and educational facilities. (c) Community Facility includes medical or health related facilities, cultural or administrative facilities such as but not limited to libraries, museums, community halls, (d) Health Facilities such as but not limited to the medical centres, hospitals, birthing centre.
Club licence policies	
5.5 Maximum trading hours for premises holding club licences 5.6.1 No club licence shall be issued or renewed with trading hours that exceed the following: (a) Monday to Sunday 9.00am to 1.00am the following day (Subject to section 46 of the Act).	As above for hotels and taverns if no premises holding club licence is currently actually selling alcohol beyond midnight we recommend revising the default closing time to midnight. As above we recommend the list of sensitive sites is expanded to include (a) Rehabilitation treatment centre includes residential support houses and inpatient or outpatient units that provide support or treatment of alcohol, drug or substance abuse or addiction. (b) Marae includes a communal or sacred place that serves religious and social purposes in Māori societies that provides everything from eating and sleeping space to religious and educational facilities. (c) Community Facility includes medical or health related facilities, cultural or administrative facilities such as but not limited to libraries, museums, community halls, (d) Health Facilities such as but not limited to the medical centres, hospitals, birthing centres. We recommend a duty manager be present during large events or if the club is open during high risk times. We recommend the following discretionary condition

	The licensee of a Club licence must ensure that the duty manager is present at the following times: - On Fridays and Saturdays from 6pm, and - At any other time when over 50 patrons can be reasonably expected to be present.
Special Licences	
6.4 Discretionary conditions of special licences	We recommend that Waipa DC specify a minimum threshold above which Alcohol Management Plans will be required for a large-scale event. We recommend a threshold of 400 people.
	We recommend there be a discretionary condition on the types of vessels that can be used at events e.g. no glass vessels at high risk events .
	We recommend Conditions restricting the number of alcoholic beverages and kinds of alcohol that can be sold and supplied per patron per transaction This condition could be applied for the entire duration of the event, or after a certain time, as appropriate.
	<i>We recommend a condition relating to steps to be taken by the licensee to engage with Police, MOH and the Inspector in relation to a special licence application or after the event.</i> This condition shall be implemented where DLC or ARLA considers such is necessary for a large scale event: - consult these agencies prior to the event, where requested by the agencies; and - meet/debrief with these agencies after the event, where requested by the agencies, and if the licensee will be holding future events of a comparable nature

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APPENDIX D – LICENSING INSPECTOR FEEDBACK ON 2016 LAP

INTERNAL MEMO

To: Manager Strategy **cc:** Karl Tutty, Manager Compliance

From: Anish Chand, Chief Licensing Inspector

Date: 30 May 2023

Subject: **LOCAL ALCOHOL POLICY – LICENSING INSPECTORS SUBMISSION**

1.0 Background

Alcohol harm is a significant issue in New Zealand. According to the Ministry of Health, on average 80% of New Zealanders drink alcohol, with around one in five people drinking at levels that increase their risk of harm.

The harm caused by excessive drinking is widespread and can impact individuals, families, and communities. Alcohol misuse can lead to a range of physical, mental, and social problems, including liver disease, cancer, heart disease, depression, anxiety, and suicide. It is also a significant contributor to road accidents, assaults, family violence, and crime. Alcohol harm affects everyone directly and indirectly

A Local Alcohol Policy (LAP) has the potential to reduce alcohol-related harm particularly violence, car accidents and other injuries through reducing accessibility and availability of alcohol. The purpose of a LAP is to give communities greater control over licensing of alcohol outlets. LAPs affect the conditions for licences and the operation of licensed premises, and in doing so alter the supply of alcohol into the community.

A LAP can effectively reduce alcohol related harm and help to achieve the object of the enabling legislation if it includes measures to reduce the number and density of alcohol outlets, reduce trading hours, having appropriate systems to manage licensed premises, ensure appropriate conditions are placed on licences and ensure compliance with licensing conditions. These measures intend help to reduce intoxication and the access to alcohol and exposure of children and young people to alcohol promotion, as well as risky drinking practices such as binge-drinking and drinking and driving.

There is a need for continuing development to address future challenges that may arise from excessive drinking and the availability of alcohol. This can be done by setting standards for alcohol licensing that are relevant to the needs for our community.

Section 93 of the Act allows a LAP to contain a policy more restrictive than the relevant District Plan. Section 77 of the Act outlines what policies a Council can include in its LAP. It cannot address matters unrelated to licensing such as price of alcohol, age limits for drinking, administration matters etc.

Local Alcohol Policies are not a mandatory requirement in the Act, and two or more territorial authorities can choose to adopt a single local alcohol policy for their wider district. It is important to note the weight of local alcohol policies in licensing decisions: LAPs are but one of 11 criteria that



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must have regard to in decision-making (s.105 of the Act). As such, they are not a law or policy that will ultimately determine the decision whether or not to issue an alcohol license.

Section 77 prescribes the contents of the policies which can be included:

- a. location of licensed premises by reference to broad areas*
- b. location of licensed premises by reference to proximity to premises of a particular kind or kinds*
- c. location of licensed premises by reference to proximity to facilities of a particular kind or kinds*
- d. 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*
- e. maximum trading hours*
- f. the issue of licences, or licences of a particular kind or kinds, subject to discretionary conditions e.g. one-way door restrictions*

Some Councils seek the views of their residents and alcohol businesses before developing a draft policy by undertaking surveys which could provide a guideline to determine what actually is needed e.g. are there concerns regarding pre or side loading of customers before visiting On licenced premises, does the community want to seek restriction on the number of Off licences, identify alcohol related problems within the community, should there be more control on location of new business and what should be regarded as a sensitive site. This type of survey is a great opportunity to learn how alcohol is causing harm, from the perspective of the community. This method is highly recommended prior to adapting a provisional LAP as it may bring about issues communities are facing which we may not be aware of and could even help us identify problem areas or issues.

The current LAP is not restrictive for businesses and has continued to allow for economic growth, specifically facilitating new grocery stores, but it certainly needs improvement to control proliferation of licensed premises particularly Off licences within the CBD/alcohol ban areas and reducing licensed hours of all premises. Other improvements include broadening the definition of a sensitive site, adding measures so there can be greater control requiring new or renewed licences to have CCTV cameras and incident registers available.

2.0 Importance of LAP

A Local Alcohol Policy provides for communities to determine how licensing decisions are made in their locality, proliferation of alcohol outlets, the overabundance of alcohol supply and the harmful consequences of this. Removing the LAP could lead to an increase in alcohol related harm.

There are numerous advantages to maintain and strengthening the LAP such as:

1. Limiting the number of places that sell alcohol will reduce hazardous drinking, reduce alcohol-related harm, prevent price competition and increase the amenity and good order of the community giving a perception of safer towns.
2. Restricting location of new On and Off licences located near sensitive sites.
3. Further restricting the trading hours of On and Off licences which can help reduce the exposure of alcohol and it's advertising to children and other vulnerable persons.

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4. Providing additional tools for the DLC and ARLA to implement measures in controlling alcohol harm.
5. Strengthening the one way door policy to reduce migration between premises and decrease people exiting licensed premises at the same time.

3.0 Types of Licences

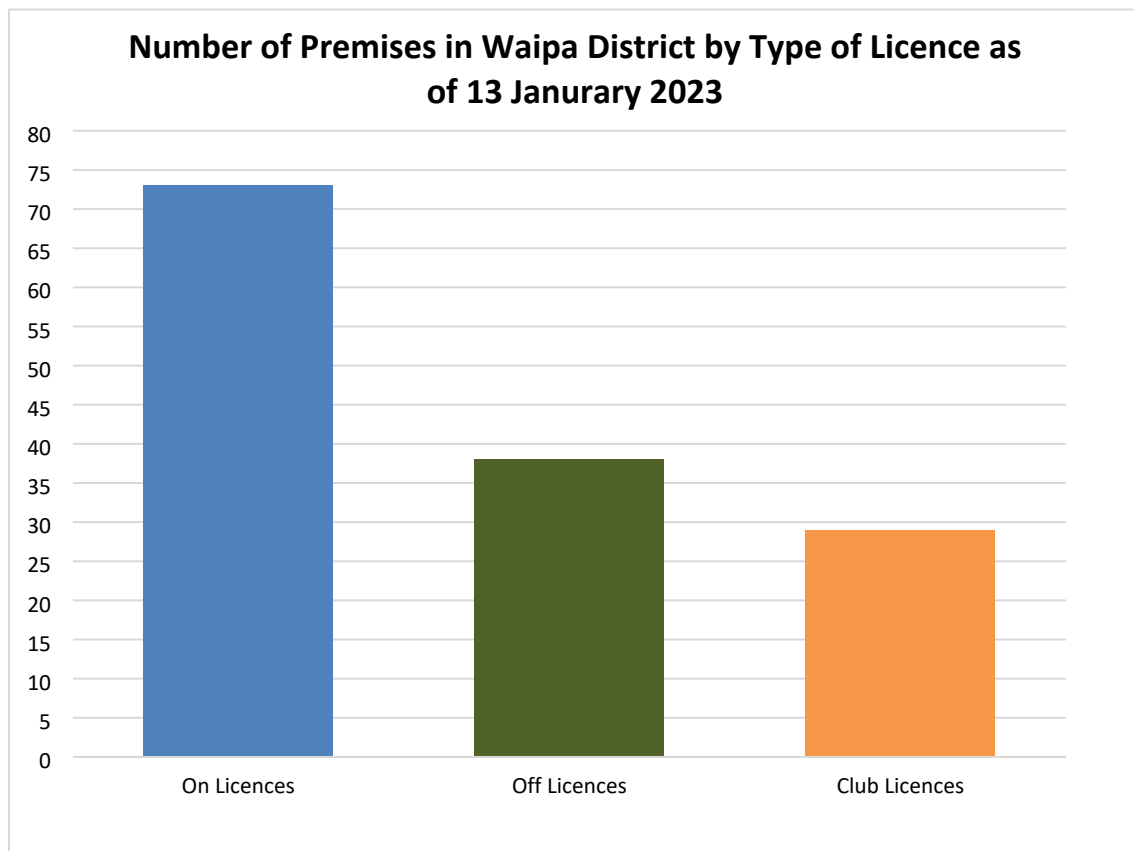


Figure 1: Number of Premises in Waipa District by Type of Licence

Table 1: Number of Premises in Waipa District by Type of Licence

	On Licences	Off Licences	Club Licences
Number of Premises in Waipa District	73	38	29



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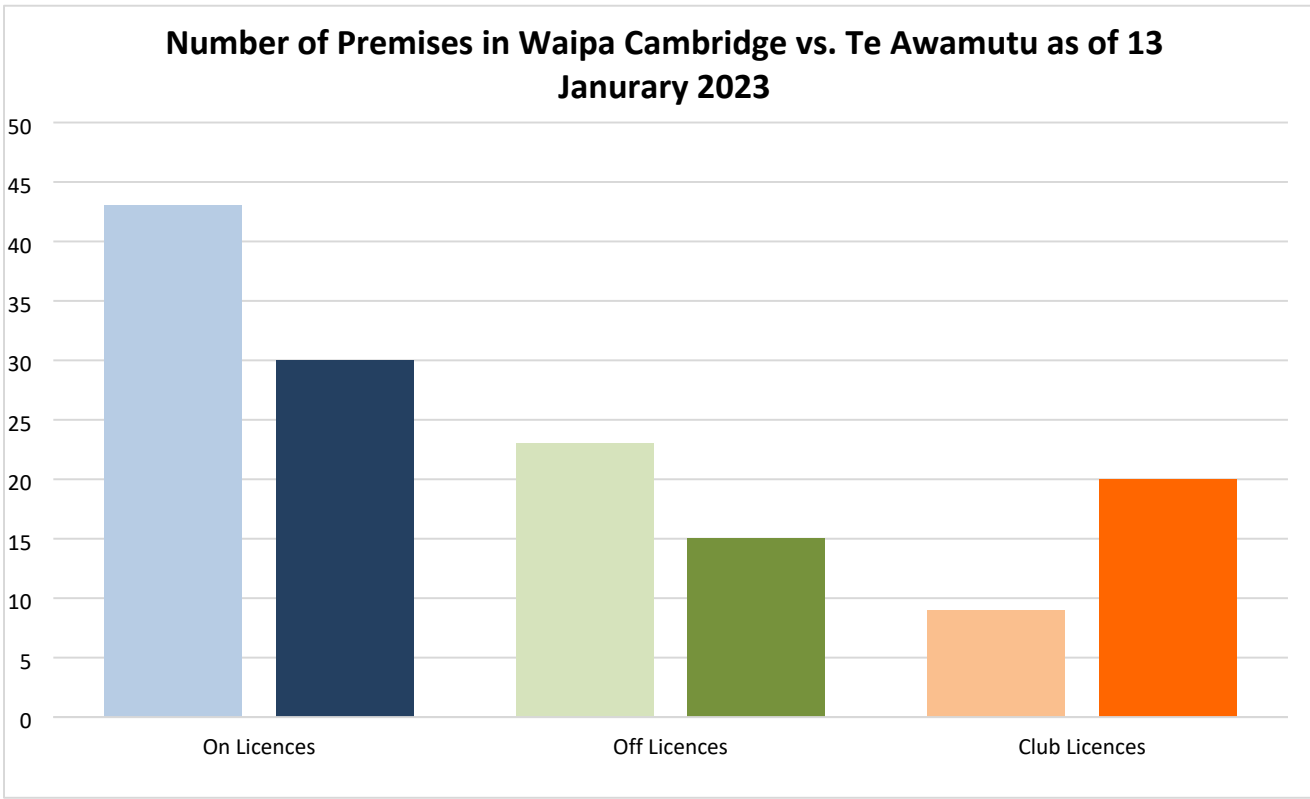


Figure 2: Number of Premises in Waipa Comparing Cambridge (light colours) and Te Awamutu (dark colours)

Table 2: Number of Premises Cambridge and Te Awamutu

	On Licence	Off Licence	Club Licence
Cambridge and nearby areas	43	23	9
Te Awamutu and nearby areas	30	15	20

4.0 Why Change?

A balance must be struck between the need to reduce alcohol-related harm and without the need to inconvenience consumers unreasonably.

Meaningful changes to hours of trade and restriction of alcohol outlets in the Local Alcohol Policy will have the greatest impacts on the volume of alcohol consumed and on the rate of alcohol-related problems. These changes will mostly affect heavy drinkers. They will also help improve public safety, reduce violence, reduce road accidents, provide a perception to the public of safer towns, mitigate impacts arising from disorder, noise and disturbance from intoxicated people and reduce the opportunity for people to consume alcohol excessively.

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Police data obtained from Te Awamutu Police indicates Waipa DC has greater alcohol related offences when compared to Waitomo and Otorohanga DC with cases almost fivefold greater when compared to neighbouring districts.

Table 3: Crime Stats Comparing 3 Districts from the Te Awamutu Police

City / Province	Class Code & Description	2016	2017	2018	2019	2020	2021	Total
OTOROHANGA DISTRICT	1400 - GRIEVOUS ASSAULTS		3	1		3	1	8
	1500 - SERIOUS ASSAULTS	4	4	5	5	5	2	25
	1600 - MINOR ASSAULTS	4	3	4	2	3	4	20
	1700 - INTIMIDATION AND THREATS	6	8	7	7	5	6	39
	3500 - DISORDER	4	12	5	4	11	4	40
	3900 - ALCOHOL OFFENCES		2					2
	A SERIES - ALCOHOL RELATED OFFENCES	30	22	19	24	22	19	136
OTOROHANGA DISTRICT Total		48	54	41	42	49	36	270
WAIPA DISTRICT	1400 - GRIEVOUS ASSAULTS	4	2	7	10	4	4	31
	1500 - SERIOUS ASSAULTS	11	18	18	39	23	18	127
	1600 - MINOR ASSAULTS	24	11	18	18	12	16	99
	1700 - INTIMIDATION AND THREATS	16	14	30	32	27	22	141
	3500 - DISORDER	31	36	54	36	54	23	234
	3900 - ALCOHOL OFFENCES	11	2	3			8	24
	A SERIES - ALCOHOL RELATED OFFENCES	99	105	108	149	94	101	656
WAIPA DISTRICT Total		196	188	238	284	214	192	1312
WAITOMO DISTRICT	1400 - GRIEVOUS ASSAULTS		2		2	1		5
	1500 - SERIOUS ASSAULTS	1	3	1	5	4	6	20
	1600 - MINOR ASSAULTS	4	3	1	2	3	2	15
	1700 - INTIMIDATION AND THREATS	1	6	4	8	3	4	26
	3500 - DISORDER	5	3	9	9	12	2	40
	3900 - ALCOHOL OFFENCES	1				1		2
	A SERIES - ALCOHOL RELATED OFFENCES	23	32	19	36	24	12	146

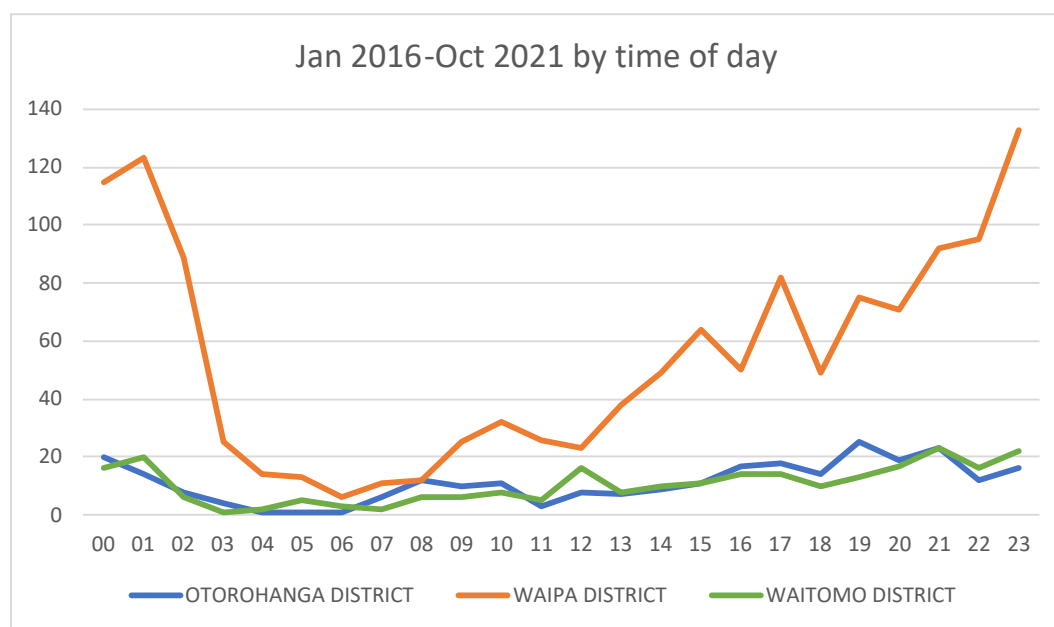


Figure 3: Police callouts and crime increases between 6pm to 2pm



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Police have also attended to a number of incidents at or outside licensed premises which somewhat emphasises that fact that stricter controls are needed and that the current Policy could be improved.

A tavern in Cambridge

Police attended the premises due to an increase of younger patrons attending for a DJ promotion event for the 31/03/23 and the 1/04/23, that was heavily promoted on social media.

Upon arrival police observed a large number of people in the court yard and inside the premises, approximately 80.

There were a number of slightly intoxicated patrons in the court yard area, who were spoken too, and police received 3 complaints of a male who was touching females in the premises, this male had been removed from the premises by the owner due to his high level of intoxication and behaviour, a separate file has been created for this incident, with further follow up required with the victims, as they were also intoxicated. Suspects details also obtained.

Further investigation of the premises, revealed that there were 4 unsupervised minors at the venue, who remained on the premises for around 1 hour.

These minors have stated, that they walked through the front door without being stopped for ID, as there was no security working the door.

A tavern in Cambridge

Date 12/02/2022 - P049617547 - 1640 persons fighting outside the pub - informant thinks [REDACTED] Players are involved.
Date 20/02/2022 - P049697351 - assault/SF person punched inside the bar, one offender located and arrested - Common Assault, Resist Police, Breach of Bail
Date 26/02/2022 - P049762970 - intoxicated male customer refuses to leave and is throwing things across the bar. Male trespassed from the bar.
Date 13/03/2022 - P049899862 - intoxicated person seen driving away from the premise, Police called, driver stopped and blows 506 mgm, also found to be 17 years of age.

A tavern in Te Awamutu

02.03.19

Subject:

[REDACTED]

Circumstances:

[REDACTED] had been at [REDACTED], when the bar closed the patrons all migrated to the road side. While on the foot path [REDACTED] got into a verbal argument with another male, this male kicked [REDACTED] in the leg.

Police arrived and the parties separated. The group of intoxicated patrons headed to Mc Donald's. While standing outside McDonalds [REDACTED] approached the male who he was arguing with earlier and head butted the male once in the head.

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A tavern in Te Awamutu

19.06.18 – 0030hrs

Police called to Mass disorder outside [REDACTED]

Approximately 50 people on the street fighting. One male on the ground with a bust nose. Duty Manager [REDACTED] said that he had been king hit from behind by a group of males.

Two groups yelling at each other squaring off. It was deemed too dangerous to obtain any particulars at that time as it was a hostile environment and the focus for Police was to disperse the parties. The male with the busted nose left the scene in a car.

Police finally calmed the situation and the groups slowly dispersed. Duty Manager [REDACTED] said that there was three different gangs in her establishment [REDACTED]

Security informed Police that one of the bar staff is dating a mongrel mob member hence why they have been at the establishment lately.

A tavern in Te Awamutu

21.07.18 - 0059hrs

Circumstances:

[REDACTED] was on a night out with friends and was drinking in the [REDACTED] Bar staff noticed that he had become too intoxicated, he was asked to leave by one of the bouncers but became abusive and refused to leave. He escorted from the premise.

Licensing Inspectors believe that additional policies should be implemented that do not specifically relate to enforcement, but assist with monitoring of premises. Inspectors have come across problems such as not being able to obtain CCTV footage after incidents from the licensee and the licensee not keeping records of how incidents are managed.

Implementing additional policies into the LAP will assist in providing the necessary tools to reduce alcohol harm by reducing the availability of alcohol to ensure alcohol does not affect the communities perception of a safe community. Additional policies include:

1. Definition of a “Sensitive Site” is broadened to include any rehabilitation treatment centre, school, early childcare facility, place of worship, Marae, community facility and medical facility existing at the time the licence application is made, unless it can be demonstrated to the District Licencing Committee that the hours, signage or operation of the premises



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will have no more than minor effects on those facilities and/or persons using those facilities within a 200m radius from the proposed site.

2. A cap is placed on new Off licences being issued within defined central business district areas.
3. Reducing licensed hours for all off-licences to 7.00am to 9.00pm.
4. A more restrictive One-way door restriction alcohol policy imposed at 12 midnight for taverns, Class 1 club and class 1 restaurants.
5. An additional discretionary condition is added for the DLC and ARLA to consider for licences such as those relating to the minimum number of certificated managers, exterior lighting, incidence register, CCTV etc.

The Licensing Inspectors believe existing controls implemented are not sufficient to mitigate measures in reducing alcohol harm. In the Court of Appeal case between *AUCKLAND COUNCIL v WOOLWORTHS NZ LTD & OTHERS [2021] NZCA 484 [24 September 2021]*, it has established and confirmed that a Policy must aim to reduce harm, take a precautionary approach, one policy is exercised instead of having multiple overlays/ controls for different parts of the district and community perception can be included without a need for evidence.

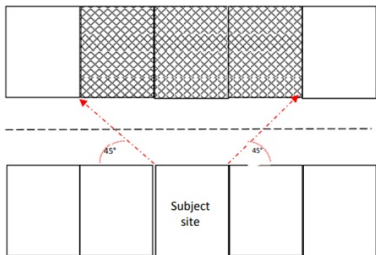
The Decision of the Supreme Court has been released which has concurred with High Court findings as follows:

- i. LAPS can be based on or influenced by community preferences and do not have to be evidence based.
- ii. Shorter trading hours than maximum default hours do not need justification.
- iii. Any appeal could only be if it is unreasonable to the object of the Act. Object's aim is to have the safe and responsible sale, supply and consumption of alcohol, to minimise alcohol-related harm. Too much restriction could be perceived unreasonable particularly if restriction is not likely to have an impact
- iv. A precautionary approach restriction may be justified on the basis of there being a reasonable likelihood (rather than proof) to reduce alcohol-related harm;
- v. A reduced licensed hours for Off licence from 7am to 9pm is not unreasonable in light of the object of the act.

It is important to acknowledge there is no need to balance rights of an applicant to sell alcohol. Instead emphasis must be placed to minimise alcohol harm and there should be no reason to doubt that harm in one area could impact entire district. It is recommended that one policy is developed for the whole District. Creating map overlays will make a policy difficult and costly to develop and administer. Additionally, consideration needs to be given to the fact that people will travel to buy alcohol if required.

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5.0 Submission on Proposal and Change

Current LAP and Issues	Proposed
5.1 Location of Premises and Density	
5.1.1 On and Club Licence	
Policy 3.4.1 requires that an on licence being issued for the first time will not be issued in respect of any new premises being licensed for the first time on any site where the site directly borders any school, early childcare facility, or place of worship unless it can be demonstrated to the DLC that the hours, signage or operation of the premises will have no significant impact on those facilities. The term “directly borders” includes across the road and at an angle of 45 degrees to the left and right of the subject site illustrated in Figure 1.  Figure 1: Proximity of New Premises that Directly Border a Facility The sensitive sites listed in Policy 3.4.1 do not include marae, public parks, libraries, rehabilitation centres and medical centres. Policy 2.1 Definitions does not include rehabilitation treatment centres, marae or community facilities. There has been some ambiguity in some applications in considering if a childcare centre is directly bordering the subject site. In one case the childcare centre site entrance road was technically across the road from the subject site. However the childcare facility buildings are located remotely and out of site of the application site. In other application, the childcare centre sites were located across public car parks from the subject sites and it was not clear if they were captured by the term “directly borders”.	It is proposed that Policy 4.4.1 is re-worded to clarify the location of sensitive sites relative to the application site. It is also proposed that the list of sensitive sites is extended and Policy 2.1 Definitions is updated to include other sensitive sites. It is recommended that rehabilitation treatment centres, Maraes, community facilities and medical facilities is added to list of sensitive sites. It is Inspectors submission that a new overall Policy is created that is common to all new on and club licence premises as follows: Location of premises holding new on and club licences by reference to proximity to facilities of a particular kind or kinds. <i>New On and Club licences will not be issued in respect to any new premises being licenced for the first time on any site where the application site is located within a 200 metre radius from the proposed site to the boundary of any sensitive site that includes, but is not limited to any rehabilitation treatment centre, school, early childcare facility, place of worship, Marae, community facility and medical facility existing at the time the licence application is made, unless it can be demonstrated to the District Licencing Committee that the hours, signage or operation of the premises, design and layout of premises and nature of operations will have no more than minor effects on those facilities and/or persons using those facilities</i> It is also recommended Policy 2.1 Definitions is extended to include: (a) Rehabilitation treatment centre includes residential support houses and inpatient or outpatient units that provide support or treatment of alcohol, drug or substance abuse or addiction.



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	(b) Marae includes a communal or sacred place that serves religious and social purposes in Māori societies that provides everything from eating and sleeping space to religious and educational facilities. (c) Community Facility includes cultural or administrative facilities such as libraries, museums, community halls, public parks and reserves. (d) Medical Facility includes any location where healthcare is provided such as medical centres and facilities, hospitals, clinics, birthing centres and dental clinics. It is recommend also the word significant impact be change to more than minor extent. It is important DLC or ARLA must evaluate whether effects are greater than de minimis and what are their impacts on the various affected parties, receptors, community, achieving object of the act to reduce alcohol harm.
5.1.2 Off Licence When considering a new off-licence application, the DLC will have regard to location of premises holding off licences by: i. Reference to broad areas ii. Reference to proximity to premises of a particular kind or kinds iii. Reference to proximity to facilities of a particular kind or kinds. There is no guidance in the current LAP for the DLC to consider the relevance of a new off-licence application, there is no policy on density of alcohol outlets and minimum separation distance from another off licence premises. The Police submission submitted on 18 April 2015 in response to review of Waipa Public Places Liquor Control Bylaw 2008 supports the protection of the Liquor Ban areas by capping additional off-licence outlets in these areas. <i>The current liquor ban areas were identified to address the level of alcohol related crime, violence, disorder and nuisance behaviour etc. within Waipa area. Specifically the central public areas in each township where typically licensed premises are situated and large numbers of the general population congregate for business, shopping, tourism and hospitality. In principle, the bylaw is working as Waipa public place crime (violence and disorder) are significantly lower since the liquor ban was introduced by council and</i>	The Inspector's submission is that: (a) there should be a cap on Off licence outlets in the areas identified as Liquor Ban areas for Cambridge, Leamington, Te Awamutu and Kihikihi areas. The proposal for the revised LAP is: <i>The number of off-licences issued within the Liquor Ban areas in the Cambridge, Leamington, Te Awamutu and Kihikihi shall not exceed the number existing at the date this LAP comes into force.</i> (b) <i>Outside the Alcohol Ban Area, new Off licences will not be issued in respect to any new premises being licenced for the first time on any site where the application site is located within a 500 metre radius from the proposed site to the boundary of an existing Off licenced premises and any sensitive site that includes, but is not limited to any rehabilitation treatment centre, school, early childcare facility, place of worship, Marae, community facility or medical facility, recreational facilities (including but not limited to children's play areas or sports grounds) existing at the time the licence application is made, unless it can be demonstrated to the District Licencing Committee or ARLA</i>



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enforced by Police. Removal of the liquor ban would almost certainly lead to crime increasing back to the pre-existing levels, unnecessarily putting the community at risk.

It is Inspector's submission that there is currently a sufficiently high number of off-licensed outlets to service each of the town centre areas. Therefore, there is no justification to allow any increase in the density of off-licensed outlets in these areas to minimise harm in the community.

Cambridge

Bottle Stores	Supermarkets	Grocery Stores	Tavern – Off-Licences
5	2	0	2

Leamington

Bottle Stores	Supermarkets	Grocery Stores	Tavern – Off-Licences
4	1	1	0

Te Awamutu

Bottle Stores	Supermarkets	Grocery Stores	Tavern – Off-Licences
5	3	0	2

Kihikihi

Bottle Stores	Supermarkets	Grocery Stores	Tavern – Off-Licences
1	0	0	1

Note: Numbers outlined above are only those within CBD areas and does not resemble total number for district.

Increase in Off Licence will add to increase in alcohol-related harm. High number of alcohol outlets particularly in Central Business Areas together with operation of the On licence premises can lead to increase in violence, drink driving, heavy drinking, side loading, pre-loading, breaches of liquor ban areas, increase numbers of intoxicated person afterhours leading to disorder/ damage to properties, increase in public perception of unsafe towns etc.

A study by Connor & Bell (2009) found significant associations between the density of the Off-licences, bars and clubs and prevalence of binge drinking, and further reported a 4% increase in binge drinking associated with each extra Off-licence within 1 km of home (<https://onlinelibrary.wiley.com/doi/epdf/10.1111/j.1753-6405.2012.00827.x>) .

Hence, it is recommended that cap be placed on Off licence within Alcohol Ban areas but premises outside the Alcohol Ban Area proximity of premises to sensitive sites,

*through a Local Impact Report that the proposed licensed premises will have **no more than minor effects** and it is in the public interest to issue the licence. The burden is placed on the applicant to provide sufficient evidence to meet this standard.*

A Local Impact Report must be provided by the applicant and considered by the DLC or ARLA, for all new Off-licence applications (other than manufacturers and remote sales) proposed in any area of the Waipa District outside a Liquor Ban Area.

The following off-licences are exempt from this requirement:

- I. Remote Sellers and*
- II. Manufacturers of alcohol, if alcohol sales from the premises are limited to those products manufactured on the premises.*

(c) *A Local Impact Report must consider the following:*

- (1) *the existing licensed premises in the Reporting Area, the number, their locations relative to the proposed site, the kinds, mix of licences, type of premises*
- (2) *proposed trading hours, and the products that being sold or supplied; and*
- (3) *whether any of the following sensitive sites exist within the Reporting Area, and the proximity of these to the proposed site (including whether the relevance of the proximity is impacted upon by any significant physical barriers, such as a river or expressway):*
 - (i) Rehabilitation treatment centres and,*
 - (ii) Early childhood facility, and*
 - (iii) School, and*
 - (iv) Place of worship, and*
 - (v) Marae, and*
 - (vi) Community facility, and*

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another premises for Off licence be subject to 500 meters separation unless DLC makes a finding that it is in the public interest to issue the licence.

Medical Officer of Health submission highlights the highest number of alcohol-related ED (Emergency Department) presentations in the Waipa District were located in Te Awamutu South and Leamington East and to a lesser extent on the towns of Cambridge and Te Awamutu.

Number of ED related Presentations by Patient Domicile

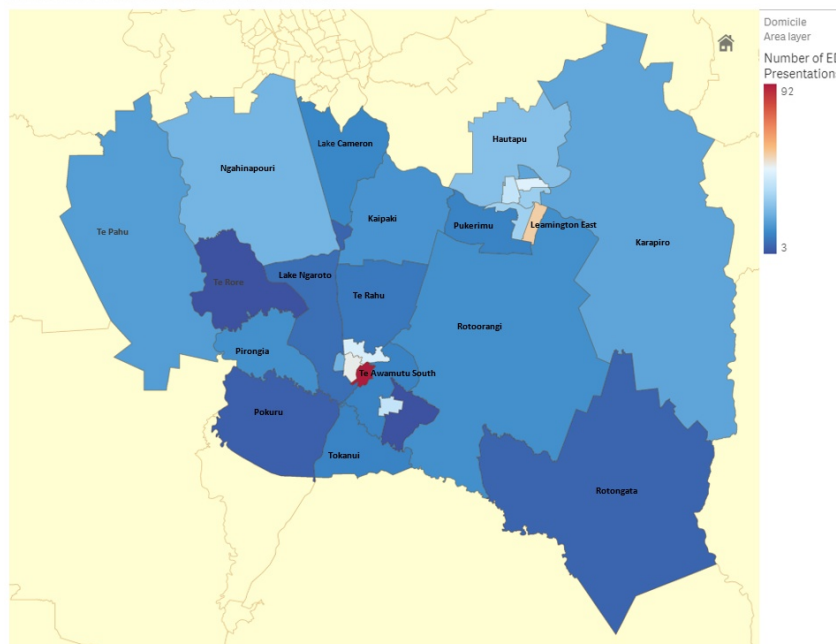


Figure 4: Choropleth Of Number Of Alcohol-Related Ed Presentations By Patient Domicile 2020-2022

The Public Health recommendations and rationale for number and density of outlets is that “the higher density of alcohol outlets results in greater accessibility, sales, consumption and harm. Setting limits on the density of outlets can reduce this harm”.

- (vii) Medical facility
- (viii) Recreational facilities (including but not limited to children’s play areas, sports ground)

- (4) the other types of land uses within the Reporting Area; and
- (5) the nature and severity of alcohol-related harm in the Reporting Area in last 2 years, including incidence of crime, incidence of alcohol-related crime, anti-social behaviour, alcohol related health issues, vandalism and any other information relevant to section 4(2) of the Act; and
- (6) the nature of the licence application being considered, including the kind of licence applied for, the type of premises, the patron capacity, the hours of operation sought, and the likely risk profile under the Sale and Supply of Alcohol (Fees) Regulations 2013; and
- (7) the steps the applicant will take to manage the premises so as to minimise alcohol related harm, as outlined in the application; and
- (8) provide a statement from nearby schools and organisations involved with supporting victims of alcohol harm confirming indirect or direct effects (if any) of alcohol harm that exist and potentially could be observed within their community.

Reporting Area means the land area within a 500 metre radius of the boundaries of the proposed application site.

The rationale for these recommendations is that:

- (1) There is a high density of off-licensed outlets and in particular Off licences in each of the four town Liquor Ban areas in the Waipa District. This density has reached a saturation point for off-licensed outlets.



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The Public Health Unit recommends “strengthening the current policy addressing off-licence density”. They recommend “creating limits within the policy rather than leave discretion to the District Licencing Committee. For instance: 1. Setting a radius of consideration, for example “No new off-licence shall be issued for any premises located within one (1) kilometre of the legal site boundary of any existing bottle store, licensed supermarket or grocery store”. 2. Setting a cap to the number of available off licences per town. For example “The number of standalone bottle store off-licences issued in the urban areas of Cambridge, Te Awamutu and Kihikihi shall not exceed the number existing at the date this LAP comes into force)”. The data submitted by the Public Health Unit shows that the areas of greatest alcohol-related ED presentations also show correlation with the Liquor Ban areas. However, it is Inspectors view cap should be placed on Off licence within alcohol ban areas and instead of bottle stores as this will be unfair application of law on bottle store when alcohol from all Off licence is proven to cause harm in the community.	(2) The proposal supports the purpose of The Public Places Alcohol Control Bylaw 2015. To allow an uncontrolled proliferation of bottle stores or other off-licensed outlets within an alcohol restricted area would be an anathema; (3) To continue to reduce Waipa public place crime as reported by the Police; (4) The proposal aligns with the second recommendation of the Public Health Unit in setting a cap on the number of standalone bottle stores in each of the urban areas, which they have shown to be based on Emergency Department statistics and social deprivation. The proposal also provides greater protection for high deprivation areas identified by the Otago University and Massey University (EHINZ) socio economic data; Policy and Guidance is provided for the DLC to consider any new off-licence applications located in any area of the District (5) It has been recognised by Supreme Court decision WOOLWORTHS NEW ZEALAND LIMITED v AUCKLAND COUNCIL [2023] NZSC 45 [5 May 2023] that a Local Impact Report is not ultra vires and it was recognised that stricter controls to achieve the object of the act can be imposed.
5.2 Hours of Operations 5.2.1 On Licence and Club The maximum trading hours in the current LAP for On-licences as a whole are too permissive. There is also concerns in increase in number of incidence relating to crime, alcohol related offence particularly after 7pm until 1.30am, Emergency admissions at Waikato Hospital were highest from Te Awamutu South and Leamington East (lesser extent on the towns of Cambridge and Te Awamutu) and having Off licence premises trading later in the night allows for cheaper access of alcohol when compared to On licence premises. Total of 73 On Licenses has been issued which ranges from Function Centre, restaurant, bar, tavern, hotel and wineries. The premises are licensed from 7am to 2am.	
	It is recommended that a Precautionary Principle is adopted for the proposed reduction in availability of alcohol by reducing opening hours in a consistent way for all On and Club-licences to Monday to Sunday 9.00am to 2.00am and through implementation of one way door policy . This approach was supported by the decision of the Court of Appeal for <i>AUCKLAND COUNCIL v WOOLWORTHS NZ LTD & OTHERS [2021] NZCA 484 [24 September 2021]</i>. The Decision of the Supreme Court has just been released which has concurred with Court of Appeal findings. The Inspector’s submission is that:



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In addition, data presented by Te Awamutu Police shows there is high crime rate from 9pm to 2am which emphasis the need for greater controls.

- a. A One Way Door Policy is implemented at 12.00 midnight for premises which are identified as Class 1 club, class 1 restaurant and tavern.
- b. Policy 3.6.2 is reworded to exclude hotel and mitigate effects to residential properties.
- c. Licensed hours are reduced to 9.00am to 2.00am.

Policy 3.6.2.

Where a new hotel, tavern or other premises where the principal activity is the provision of alcohol and other refreshments to the public is proposed within 100 meters of any area zoned residential in the Waipa District Plan, trading hours will not exceed the following:

- (a) Sunday to Thursday 9:00am to 10.30pm,
- (b) Friday and Saturday 9.00am to 12.00 midnight,
- (c) In the case of hotels, alcohol may be sold or supplied at any time to any guest residing on the premises.

There is an advantage to maintain a control for this type of premises as residences nearby can greatly be impacted by antisocial behaviour, noise and sleep disturbance if no restrictions are implemented. Hence, it is recommended that the rule is amended to allow for assessments of risks from a wider area and to and ensure effects from the use of outdoor areas are mitigated as follows:

No tavern or other premises will be issued or renewed licence where the principal activity is the provision of alcohol and other refreshments to the public is proposed within 200 metres of any area zoned residential in the Waipa District Plan, unless it can be demonstrated to the District Licencing Committee through a Local Impact Report (must also include transport options and Noise Management Plan) that there will be no more than minor effect. However, in any case licensed hours should not exceed:

- (d) Sunday to Thursday, 9.00am to 10.30pm,
- (e) Friday and Saturday, 9.00am to 12.00 midnight,
- (f) Outdoor area(s), Monday to Sunday 9.00am to 10.00pm,
- (g) In the case of hotels, alcohol may be sold or supplied at any time to any guest residing on the premises.



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5.2.2 Off Licence The maximum trading hours in the current LAP for off-licences as a whole are too permissive and there is inconsistency between the hours of accessibility of alcohol sold by grocery stores and supermarkets compared with bottle stores. There is also concerns in increase in number of incidence relating to crime, alcohol related offence particularly after 7pm, Emergency admissions at Waikato Hospital were highest from Te Awamutu South and Leamington East (lesser extent on the towns of Cambridge and Te Awamutu) and having Off licence premises trading later in the night allows for cheaper access of alcohol when compared to On licence premises. Casswell et. Al (2014) in a study found that the earlier closing time may present one way of reducing the opportunity to consume excessive alcohol and confirmed evidence indicates that drinkers who purchase alcohol at later times are more likely to be heavy drinkers compared with those who purchase at earlier times. Reducing alcohol harm must take precedence, Supermarkets have always argued less harmful than bottle stores but Court of Appeal has said that any place that sells alcohol at a price less than an On licence is a risky business. Alcohol sales are banned in supermarkets in Australia (although the supermarket chains usually have a separate alcohol shop next door) and many states in the United States, and is not sold from supermarkets in parts of West Auckland and Invercargill. In 2000, the supermarket share of beer sales was 12% and for wine it was 43%. In 2008, they sold around 30% of all beer and just under 60% of all wine. In 2008 it was estimated that beer and wine sales in supermarkets were worth \$1 billion. (cited in p.59, Law Commission Report (114)). The Law Commission (p.43) also cited an in-house supermarket newsletter that wine and beer together bring in more revenue than any other category in the supermarket. In Auckland, approximately 75% of all alcohol sold is from off-licences; 53% of this is from bottle stores and 47% from supermarkets. In 2013, research found that the most common place for Auckland drinkers to purchase their alcohol in the last month were supermarkets. It is well-known that alcohol sold from supermarkets is, on average, significantly cheaper than the same alcohol purchased from bottle stores. The Ministry of Justice has stated that the price is so	<i>The Council's policy positions on maximum trading hours are not intended to set an expectation that the DLC and ARLA should issue every licence with the full extent of the maximum hours; the DLC and ARLA may issue licences with more restrictive hours than the maximum trading hours specified in the Policy.</i> It is recommended that: Maximum trading hours for premises holding off-licences "No off licence shall be issued or renewed with trading hours that exceed Monday to Sunday 7.00am to 9.00pm (subject to section 48). The rationale for the recommendation is that: (1) There is inconsistency between the hours of accessibility of alcohol sold by grocery stores and supermarkets compared with bottle stores. (2) A reduction in trading hours will reduce alcohol related harm in the community. (3) The proposal is consistent with other DLC Provisional and draft LAPs including the Auckland Council Provisional LAP that has been before the Court of Appeal and is awaiting decision by the Supreme Court. It is recommended that a Precautionary Principle is adopted a proposed reduction in availability of alcohol by reducing opening hours in a consistent way for all off-licences to Monday to Sunday 7.00am to 9.00pm. This approach is supported by the decision of the Court of Appeal for <i>AUCKLAND COUNCIL v WOOLWORTHS NZ LTD & OTHERS [2021] NZCA 484 [24 September 2021]</i> as follows: (1) Paragraph 60 "<i>The precautionary principle is usually traced in law to the Rio Declaration, Principle 15 of which provides that "[i]n order to protect the environment, the precautionary approach shall be widely applied ... [w]here there are threats of serious or irreversible damage, lack of full</i>



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cheap that many smaller bottle stores buy their alcohol products from supermarkets.
(https://www.actionpoint.org.nz/supermarkets_case_for_change)

Hence, no special exception should be made when considering hours for Off licence for type of premises or the area, instead, same rule should apply throughout district. Whilst it is acknowledged, it may affect convenience of customers, the aim should always be to reduce alcohol harm. Spirits and RTD's can only be found in bottle stores which mostly open at 9am so it can be easily argued customers convenience is unlikely to be impacted.

scientific certainty shall not be used as a reason for postponing cost-effective measures to prevent environmental degradation”.

- (2) Paragraph 61 *“this is consistent with the Act’s requirement that an element be “reasonable” in light of the Act’s object. This approach can be described as “precautionary”, in that it admits remedial measures to reduce harm although their effects are uncertain”.*
- (3) Paragraph 63 *“It follows that we do not accept the submission for Woolworths that a precautionary approach is unavailable because the effects of alcohol on the body are well understood. The Act is concerned with the licensing of alcohol, and the effects of specific licensing measures on alcohol abuse are not easy to measure”.*
- (4) Paragraph 64 *“to emphasise that harm reduction measures need not await proof but may be tested by imposing restriction”.*
- (5) Paragraph 109 *“It was not necessary that ARLA reach a final view about the relationship between trading hours and harm. It sufficed, as we have explained, that there was a real and appreciable possibility that an earlier closing time would reduce alcohol-related harm”.*

The Decision of the Supreme Court has been released which has concurred with High Court findings.

Bottle Stores

It has become common for all bottle stores in the District, except for one, to have applied for and been licensed with hours of Monday to Sunday 9.00am to 10.00pm. Liquorland Cambridge is the only bottle store that has been granted licensed hours of Monday to Sunday 8.00am to 10.00pm. However, the maximum trading hours for bottle stores in the current LAP do not specifically prohibit bottle stores from applying to open Monday to Sunday 7.00am to 10.00pm.

For bottle stores, the proposed trading hours Monday to Sunday 9.00am to 9.00pm would result in little change in opening hours and a one hour earlier closing time.

Supermarkets



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Supermarkets and grocery stores in the District are currently licensed with hours of:

- (1) Monday to Sunday 7.00am to 10.00pm – Countdown Cambridge and Countdown Te Awamutu, Cambridge New World, Cambridge Supervalu, Freshchoice Leamington and Freshchoice Te Awamutu, Red Berry Supermarket Leamington, Pak N Save Te Awamutu,
- (2) Monday to Sunday 8.00am to 10.00pm
- (3) Monday to Sunday 7.00am to 9.00pm – Four Square Cambridge
- (4) Monday to Sunday 7.00am to 8.30pm – Grocery Barn Cambridge

Tavern Off Licence in the District have licensed hours of:

- (1) Monday to Sunday 9.00am to 10.00pm - The Clubhouse Café and Sports Bar, Cambridge
- (2) Monday to Sunday 9.00am to 10.00pm – Good Union, Cambridge
- (3) Monday to Sunday 11.00am to 10.00pm - Five Stags Restaurant and Bar, Pirongia
- (4) Monday to Sunday 10.00am to 10.00pm – The Star Tavern, Kihikihi
- (5) Monday to Sunday 11.00am to 10.00pm - Five Stags Restaurant and Bar, Pirongia
- (6) Thursday to Saturday 4.00pm to 8.00pm – The Woolshed – Te Awamutu rural
- (7) Monday to Sunday 9.00am to 10.00pm – Joys Place, Te Awamutu

Maximum Trading Hours Already Imposed in Other Districts

<i>DLA</i>	<i>Type</i>	<i>Max trading hours</i>
Ashburton DC	Off-licence	Monday – Sunday, 7.00am – 9.30pm
Dunedin DC	Off-licence	Monday to Sunday, 7.00 am to 10.00 pm



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	Waikato DC - Provisional	Off-licence	Monday to Sunday 7.00am to 10.00pm
	Wairoa DC Provisional	Off Licence	10am to 9pm
	Auckland – Provisional	Off-licence	Monday to Sunday 7.00am to 9.00pm
Auckland council's decision to restrict hours was informed by feedback from submitters, who generally considered that off-licence hours that are more restrictive than the national default are an improvement and will help to address "pre-loading", "sideloading", and violence in the home, and that they will have little impact on organised shoppers". "Submitters strongly supported all types of off-licences having the same maximum hours. A 9pm close for off-licences received more support from submitters than any other (later) closing time. It is recommended a community survey is undertaken to find out alcohol harm within community and their preferences.			
5.3 Errors and inconsistencies			
Outdoor Dining <i>Policy 3.6.4</i> there is some confusion on interpretation of outdoor dining area. The LAP requires that outdoor dining areas will not have trading hours that exceed 9.00am to 11.00pm on any day. However, there is no definition of outdoor areas and it has been assumed that this was meant to apply just to public places such as footpath areas with a Tables and Chairs permit, rather than private outdoor areas. Temporary Authority Policy 7.1.2. requires that no second or subsequent Temporary Authorities will be issued unless a full licence application has been received or, in exceptional circumstances, with the prior approval of the Secretary of the DLC. The DLC has since advised that they do not believe that the Secretary has the jurisdiction to advise the DLC in this way.	Outdoor Dining It is suggested that outdoor area is defined and excludes area (s) located within a public place. Temporary Authority It is suggested that the role of the Secretary is reviewed		



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Remote sales With regard to the trading hours of an off-licence issued for a premises being licensed for the first time, 4.6.1 of the LAP specifies that no off-licence shall be issued or renewed with trading hours that exceed Sunday to Monday 7.00am to 10.00pm (subject to section 48). In the case of trading hours, the LAP does not specifically provide an exemption for endorsed remote sales from the restricted trading hours. Therefore the LAP is in conflict with section 49 of the Act which specifically exempts the restrictions on sales imposed by sections 38 and 59(1), allowing sales at any time on any day.	Remote Sales It is unclear if there was an intended reason for imposing more restrictive hours in the LAP for remote sellers or, if it was perhaps, an unintentional omission to exclude remote sellers. It is noted that in paragraph 4.6.1. of the LAP considering the location of the premises of an off-licence issued for a premises being licensed for the first time, sub-paragraph 4.2.1. does exclude remote sellers endorsed pursuant to section 40 of the Act from the requirements for location. It might be anticipated therefore that this exclusion might also have been applied to paragraph 4.6 for hours of trading.
5.4 Discretionary Conditions The Act provides for the LAP to include policies to guide the District Licensing Committee and the Alcohol Regulatory and Licensing Authority as to discretionary conditions that are appropriate. This policy guidance is in addition to the particular provisions of the Act in relation to discretionary conditions including s117 of the Act which permits the Committee and Authority to issue any licence subject to “any reasonable conditions not inconsistent with this Act” During the time that the current LAP has been in force, additional discretionary conditions are now relevant to bring the revised LAP up to date with the change in times that has led to the ease of accessibility to single sales of low cost high strength alcohol, reduce external exposure and advertising, keeping a register of incidents, promote crime prevention and prohibited person checks for on-line deliveries. Inspectors have come across issues such as licensees failing to keep sufficient information on incidents onsite, CCTV footage not provided to Police on requests or on some occasions suggested was not working at the time, Off licence advertising outside premises which somewhat makes an appeal to minors and incidents causing disorder etc.	The Inspector’s submission is that: (1) Similar discretionary conditions are added for all types of licence. (2) Discretionary conditions are re-phrased, extended, clarified for implementation case by case. (3) It is recommended that that the relevance of the LAP in this matter relating to remote sellers is reconsidered to determine if the Act can take precedence over the LAP trading hours for remote sales. Discretionary Conditions to be Applied at renewal or issue Ensure when issuing or renewing licence, unless there is a good reason not to, the DLC and ARLA should include following conditions or give effect to the following policy: 1. Prohibited persons a. The licensee must take the following steps to ensure the provisions of the Act relating to the sale of alcohol to prohibited persons are observed:



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To have incidents recorded immediately and availability of CCTV footage will provide opportunities for agencies to make an informed assessment/ decision, decide on further enforcement or implement further conditions at renewal.

In addition, additional discretionary condition is recommended to be included so DLC and ARLA has the ability to make an assessment and implement if things such is reasonable to achieve object of the act.

- b. Ensure that no intoxicated persons are allowed to enter or to remain on the premises; and
- c. Ensure that signs are prominently displayed detailing the statutory restrictions on the sale of alcohol to minors and intoxicated persons adjacent to every point of sale

2. *Host Responsibility Policy*

The licensee must at all times have in place a Host Responsibilities Policy.

3. *Register of alcohol related incidents*

- a. The licensee must maintain a register of material alcohol-related incidents, noting the date, time and details of each incident, and the steps taken by the licensee in response to the incident.
- b. For the purposes of this condition, the term “material alcohol-related incidents” includes, but is not limited to the following situations:
 - i. a patron or staff member is seriously threatened; or
 - ii. fighting occurs on the premises; or
 - iii. an external agency such as the Police, Wardens or emergency services has been contacted; or
 - iv. a patron has been forcibly evicted and/or banned from the premises; or
 - v. property is wilfully damaged by a patron;
 - vi. patrons are found to be involved in any illegal activities on the premises, including drink spiking.
 - viii. where the excessive or inappropriate consumption of alcohol has been a contributing factor.
- c. The register of incidents must be available for inspection by the Police and Licensing Inspectors at any time that the premises is open to the public and incident should be recorded in the register within 2 hours of the incident occurring.



INTERNAL MEMO

4. **CCTV**

The licensee must operate CCTV on the premises identified as Class 1 restaurant, class 1 club and bottle stores premises deemed as tavern. It may be useful for the DLC and ARLA to specify:

- a. that recordings made should be provided to a Police Officer or Licensing Inspector if requested.
- b. that recordings must be of a quality that would assist in the identification of alcohol-related offending;
- c. the areas that must be covered by the CCTV must include entry and exit points, footpaths that are immediately adjacent to the premises, main body of the premises accessed by patrons.
- d. Minimum days for which recordings must be kept should be 14 days

5. **Display of Information about Safe Transport**

The licensee must display information about transport availability as follows:

- a. an A4 poster must be clearly displayed in at least two of the following locations:
 - by the main counter or bar; or
 - by the principal exit; or
 - the bathrooms; or
 - another location approved by the DLC or ARLA.
- b. The content of the poster must include the following:
 - anti-drink driving messaging; and
 - where applicable, taxi contact details and the location of the nearest taxi rank; and
 - advice that staff are available to give further information.

6. **One way door Policy**

A one way door restriction to be imposed for Class 1 restaurant, class 1 club and tavern from 12 midnight.



INTERNAL MEMO

7. *External Advertising*

External advertising for all Off licences will be implemented as follows:

- a. Signage shall be limited to displaying the store name and logo only.
- b. No specific alcohol product by names or price specials shall be displayed externally
- c. No external advertising shall be displayed by way of flags or sandwich boards outside the store depicting alcohol products or pricing.

8. *Designation*

Where appropriate, where an area is used principally for drinking alcohol, the premises (or at least one part of the premises) shall be designated, in accordance with section 119 of the Act.

Discretionary Conditions which may be considered on a case by case basis by DLC or ARLA at renewal or issue of a licence

1. *Conditions relating to minimum numbers of certificated managers and staff*

The minimum number of certified managers and staff to be present onsite. The exact number of managers and staff required will depend on the layout, use and capacity of the premises.

2. *Duty Manager for Club Licence*

The licensee of a Club licence to ensure that the duty manager is present at the following times:

- a. On Fridays and Saturdays from 6pm, and
- b. At any other time when over 50 patrons can be reasonably expected to be present.



INTERNAL MEMO

	3. Designation of Taverns All areas of a tavern style licence to be designated, except for any areas principally used for dining or could be used by minors which can be undesignated where visibility of tavern-style drinking areas is minimised, in accordance with section 119 of the Act. 4. Exterior Lighting Provision of additional lighting around entrances and exits to ensure the safety of patrons and passers-by. 5. Condition relating to the closing of premises near schools A licensee located near Education Facilities to be closed for the hour after school finishes, for example, between 3pm and 4pm. 6. Single sales of alcohol A limitation of the sale of single units of low cost high strength alcohol products from their premises. 7. Conditions restricting the number of alcoholic beverages and kinds of alcohol that can be sold and supplied per patron per transaction To be applied for the entire duration of the event, or after a certain time, as appropriate. 8. Conditions restricting types of vessel that alcohol can be sold or supplied Provision of toughened glass, plastics/polycarbonates, or official glasses depending on the type of event and the design and layout of the premises, in particular, for events being held primarily outdoors. 9. Conditions relating to Queue Management and staggered closing times - Management of queues at the entrances to the event and/or queues for bar areas and - Implementation of progressive closing times and staggering the closing times of different bar areas at the event.
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INTERNAL MEMO

	10. Condition relating to steps to be taken by the licensee to engage with Police, MOH and the Inspector Implemented as necessary for a large scale event: - consultation of the agencies prior to the event, where requested by the agencies; and or - meeting/debriefing with the agencies after the event, where requested by the agencies, and if the licensee will be holding future events of a comparable nature. 11. Conditions relating to Security - a minimum ratio of security staff to patrons and/or specification of a minimum number of security staff to be operating at certain areas of the event. - a security plan will detail provision of security staff, identify risks and risk management, emergency response, appointment of a responsible person, identification of security by patrons, security at access points, security at perimeter, signs and notices placed for reporting issues and steps to be taken for monitoring. 12. Conditions relating to remote sale (Off Licence) - Alcohol may be sold remotely at any time, on any day. - Alcohol must not be delivered on Good Friday, Easter Sunday, Christmas Day, or before 1 pm on Anzac Day, or between 11:00pm and 6:00am the following day. - The licensee must take reasonable steps to verify that the buyer and the receiver of an alcohol delivery is not under 18 years of age, and that the receiver (where present) is not intoxicated. - The outside of the delivery package must contain the following words: Contains alcohol - Do not leave at destination without proof of delivery - Do not deliver to intoxicated persons - Do not deliver to person under 18 years of age. - A copy of the licence must be displayed on the XX internet site in a prominent place.
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INTERNAL MEMO

	13. Conditions relating to Method of payment (Off licence) Consider if 'buy now pay later' is an inappropriate method of payment for the sale and supply of alcohol purchased either remotely or on premises.
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It is the Inspector's view the current LAP continues to be implemented but with policies made more restrictive to help deal with emerging issues and concerns that may arise in future.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Anish Chand', with a circular flourish around the first part of the name.

Anish Chand
Chief Licensing Inspector



TE AWAMUTU - HEAD OFFICE

101 Bank Street, Private Bag 2402, Te Awamutu Ph 07 872 0030

CAMBRIDGE - SERVICE CENTRE

23 Wilson Street, Cambridge Ph 07 823 3800

[f/Waipadistrictcouncil](#) [@/Waipa_NZ](#) [t/Waipas_DC](#)

COMMITTEE REPORT



To: The Chairperson and Members of the Strategic Planning and Policy Committee

From: Principal Policy Advisor

Subject: **Adoption of the Updated 2024 Future Proof Strategy**

Meeting Date: 6 August 2024

1 PURPOSE - TAKE

The purpose of this report is to request that the Strategic Planning and Policy Committee receive and adopt the updated 2024 Future Proof Strategy.

2 EXECUTIVE SUMMARY – WHAKARĀPOPOTOTANGA MATUA

At its meeting on 7 June 2024, the Future Proof Implementation Committee (FPIC) accepted all the recommendations of the Hearings Subcommittee and endorsed the updated 2024 Future Proof Strategy. The Committee resolved to recommend the adoption of the updated Future Proof Strategy by the partner councils.

The Future Proof Strategy has been updated to comply with the legislative requirements of the National Policy Statement on Urban Development (NPS-UD) particularly the inclusion of a Future Development Strategy (FDS) and to incorporate Matamata-Piako District.

3 RECOMMENDATION – TŪTOHU Ā-KAIMAHI

That the Strategic Planning and Policy Committee

- a) *Receives the report of David Totman, Principal Policy Advisor, titled 'Adoption of the updated 2024 Future Proof Strategy', (document number 11248122); and*
- b) *Adopts the updated 2024 Future Proof Strategy as noted in Appendix 1, (document numbers 11248300, 11248301, 11248302, 11248303 and 11248304) and accessed by the website link [2024 Future Proof Strategy](#).*

4 BACKGROUND – KŌRERO WHAIMĀRAMA

The Future Proof Strategy was substantially updated in 2022 to incorporate key components of the Hamilton Waikato Metro Spatial Plan and the Hamilton to Auckland Corridor Plan.

This 2024 update to the Future Proof Strategy has been more limited in scope and has focused on making sure that the Strategy meets the needs of the National Policy Statement on Urban Development (NPS-UD) for a Future Development Strategy. In addition to including Matamata Piako District, the update has made refinements to better address the following topics:

- Better align the Future Proof Strategy with the work done on the transport and waters business cases;
- Acknowledging progress with responding to climate change in the National Adaptation Plan and the Emissions Reduction Plan;
- Reflect new direction from the National Policy Statement for Highly Productive Land and the National Policy Statement for Indigenous Biodiversity;
- Strengthen direction on affordable housing, including adding targets, and;
- More emphasis on supporting the economic development of the sub-region.

The updated Strategy has been through a special consultative process under the Local Government Act 2002. It was notified on 15 January 2024 for a five-week period. Forty-nine (49) submissions were received during this notification period. Thirty-three (33) submitters presented to the Hearing Subcommittee at the Hearings on 20 and 21 March 2024.

The Hearing Subcommittee held deliberations on 1 May 2024 and made recommendations on the submissions to the Future Proof Implementation Committee (FPIC).

At its meeting on 7 June 2024, FPIC accepted all recommendations of the Hearings Subcommittee and resolved to recommend the updated Strategy to all partners for adoption.

This report is part of the formal process being followed by all the partner councils seeking to have the updated Future Proof Strategy adopted.

Once adopted by all the partners, the Future Proof Strategy will become the Future Development Strategy for the subregion as required by the National Policy Statement on Urban Development 2020. Under this National Policy Statement, the Future Proof Strategy will need to be reviewed every three years to ensure that it is kept up to date to inform the next round of partner council long term plans.

The Future Proof Strategy is required to have an Implementation Plan to identify a work programme for the critical projects or infrastructure needed to deliver the strategy. The first Future Proof Implementation Plan is being finalised and is to be presented to FPIC for adoption at its meeting on 5 September. This Implementation Plan will be presented to the Strategic Planning and Policy Committee for information at its October 2024 meeting.

Unlike the Future Proof Strategy, the Implementation Plan is not required to be publicly consulted on but must be annually reviewed by the Future Proof partners.

5 SIGNIFICANCE & ENGAGEMENT KAUPAPA WHAI MANA ME NGĀ MATAPAKINGA

Staff have considered the key considerations under the Significance and Engagement Policy, in particular sections 7 and 8, and have assessed that the matter in this report has a medium level of significance. The Strategy will inform the activities of this Council. The Strategy was developed with input from each of the partners, and followed a special consultative procedure as set out in section 83 of the Local Government Act 2002. Deputy Mayor Liz Stolwyk was a member of the Hearings Subcommittee and Mayor Susan O'Regan was part of the decisionmaking undertaken at FPIC on 7 June 2024.

6 OPTIONS – NGĀ KŌWHIRINGA

Decision making

The approval of the updated 2024 Future Proof Strategy by the Council is an important step in the ratification of the Strategy by the Future Proof partners. Having the Strategy has proven valuable not only in the local development context, but also in ensuring the Future Proof partner councils comply with the requirements of the National Policy Statement on Urban Development.

Options

Option	Advantages	Disadvantages
Option 1: Do nothing	None.	- Jeopardise the relationship of the Council with its Future Proof partners. - Failure of the Council and Future Proof Partners to meet requirements of the National Policy Statement on Urban Development.

Option 2: Approve the Strategy	▪ Formalises the approval of the updated Future Proof Strategy ▪ Helps cement sub-regional collaboration of the Council with its Future Proof partners. ▪ Keeps the Council and the Future Proof Partnership compliant with the requirements of the National Policy Statement on Urban Development.	▪ None, but does mean that our internal plans and strategies for development of the district need to align with the updated Future Proof Strategy.
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The recommended option is Option 2. The reason for this is that the Council is a partner in Future Proof. Council contributed to the development of the Strategy and participated in the approval of the updated Strategy through its representation at the Future Proof Implementation Committee meeting held on 7 June 2024.

7 OTHER CONSIDERATIONS – HEI WHAIWHAKAARO

Council’s Vision and Strategic Priorities

The approval of the updated 2024 Future Proof Strategy aligns with and supports the Council’s vision to build connected communities; and our Community Outcomes. The updated Strategy has informed the development of Ahu Ake, our district-wide Community Spatial Plan.

Legal and Policy Considerations – Whaiwhakaaro ā-Ture

Staff confirm that Option 2 complies with Council’s legal and policy requirements. It is noted that the Future Proof Strategy is now a statutory document. A special consultative procedure was followed and provided an opportunity for public consultation in the finalisation of the updated Strategy.

Financial Considerations – Whaiwhakaaro ā-Pūtea

The Council’s share of the costs of updating the Future Proof Strategy are funded from the existing Strategy activity budget.

Risks - Tūraru

There are no known significant risks associated with the decisions required for this matter.

8 NEXT ACTIONS

Action	Responsibility	By When
Inform the Future Proof Implementation Advisor Robert Brodnax and the Future Proof Planning and Policy Working Group of the Committee's decision	David Totman	Next meeting of the Future Proof Planning and Policy Working on 28 August 2024

9 APPENDIX - ĀPITITANGA

1	Updated 2024 Future Proof Strategy (document numbers 11248300, 11248301, 11248302, 11248303 and 11248304) and accessed by Website link 2024 Future Proof Strategy
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DAVID TOTMAN. PRINCIPAL POLICY ADVISOR



Reviewed by
MANAGER STRATEGY



Approved by Kirsty Downey
GROUP MANAGER STRATEGY

APPENDIX 1

Updated 2024 Future Proof Strategy (document numbers 11248300, 11248301, 11248302, 11248303 and 11248304).

Website link [2024 Future Proof Strategy](#)

COMMITTEE REPORT



To: The Chairperson and Members of the Strategic Planning and Policy Committee

From: Strategic Policy Advisor

Subject: **Amendment of the Schedule of Fees and Charges 2024/25**

Meeting Date: 6 August 2024

1 PURPOSE - TAKE

The purpose of this report is to seek approval to make minor amendments to the Schedule of Fees and Charges 2024/25.

2 EXECUTIVE SUMMARY – WHAKARĀPOPOTOTANGA MATUA

Council's fees and charges are reviewed and updated annually as part of the Annual Plan/Long Term Plan processes. Staff have identified minor changes that require the current Schedule of Fees and Charges (2024/25) to be amended.

3 RECOMMENDATION – TŪTOHU Ā-KAIMAHI

That the Strategic Planning and Policy Committee

- a) *Receives the report of Melanie Andrews, Strategic Policy Advisor titled 'Amendment of the Schedule of Fees and Charges 2024/25', (document number 11266249); and*
- b) *Approves the following amendments to the Schedule of Fees and Charges 2024/25 (as indicated through underline and strikethrough):*

i) Building Consent

MBIE	<i>For every consent with an estimated value of \$20,444 \$65,000 and over</i>	<i>\$1.75 per \$1000</i>
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ii) Impounding fees for dogs

Slip leads/clip leads – 3/8 inch width -	\$20.00 actual cost
Slip Leads/Clip Leads – ½ inch width	\$20.00 actual cost
Doggy Doo Bags – x4 rolls (12 bags per roll)	\$3.40 actual cost

4 BACKGROUND – KŌRERO WHAIMĀRAMA

Council's fees and charges are reviewed and updated annually as part of the Annual Plan/Long Term Plan processes. The Schedule of Fees and Charges 2024/25 (Schedule) was adopted at the 20 May Strategic Planning and Policy Committee meeting.

Since that time, the following minor changes have been identified that require the Schedule of Fees and Charges 2024/25 to be amended:

- Building consent fees:**

Revise the MBIE description to reflect the new MBIE threshold that went into effect on 1 July 2024 pursuant to the Building (Levy) Amendment Regulations 2024, as indicated on page 6 of Appendix 1:

Building consent

Description		Fees & charges 2024/25
BRANZ	For every consent with an estimated value of \$20000 and over	\$1.00 per \$1000
MBIE	For every consent with an estimated value of \$ 20444 65000 and over	\$1.75 per \$1000

- Dog registration and impounding fees:**

Revise the dog lead and doo bag fees to reflect the current, specific costs. The previous Schedule (2023/24) included the corresponding fixed cost for these fees; however, the 2024/25 Schedule revised this to 'actual cost' to allow for price increases during the year. It has recently been determined that allowing fee changes within the current Schedule year will create customer confusion and administrative challenges. Additionally, staff would need to monitor and manually update these hard coded fees each time there's a fee adjustment. Therefore, staff recommend amending these fees to reflect the specific cost for each of these items, as indicated on page 13 of Appendix 1:

Impounding fees for dogs

Description	Fees & charges 2024/25
Fee for seizure/custody or first impounding	\$82.00
Fee for each subsequent impounding within the current registration year	\$100.00
Fee for micro chipping	\$30.00
Sustenance (per day)	\$11.00
Sundry Items (when available)	
Slip Leads/Clip Leads - 3/8 inch width	\$20.00Actual
Slip Leads/Clip Leads - ½ inch width	\$22.00cost
Doggy Doo Bags – x4 rolls (12 bags per roll)	\$3.40Actual-cost

Notes:

Schedule of Fees and Charges 2024/25
Page 13 of 48

11112185

Council legal counsel has confirmed that these changes are minor enough that further consultation is not required.

5 SIGNIFICANCE & ENGAGEMENT – KAUPAPA WHAI MANA ME NGĀ MATAPAKINGA

Staff have considered the key considerations under the Significance and Engagement Policy, in particular sections 7 and 8 and have assessed that the matter(s) in this report has a low level of significance.

6 OPTIONS – NGĀ KŌWHIRINGA

Option	Advantages	Disadvantages
Option 1: Do nothing	No staff or other Council resources required	Schedule does not accurately reflect current MBIE building levy legislation and continued administrative difficulties with dog leash and dog poo bag sales.
Option 2: Amend Schedule with proposed changes	Schedule will accurately reflect fees and charges	- Minor Staff time required to make changes. - Schedule varies from the version that was consulted on

The recommended option is Option 2. The reason for this is to ensure the Schedule aligns with current MBIE building levy legislation and reduce the administrative burden on staff.

7 OTHER CONSIDERATIONS – HEI WHAIWHAKAARO

Council’s Vision and Strategic Priorities

Amending the Schedule of Fees and Charges for 2024/25 enables Council’s business to continue as usual towards meeting its vision, community outcomes and strategic priorities.

Legal and Policy Considerations – Whaiwhakaaro ā-Ture

Staff confirm that Option 2 complies with Council’s legal and policy requirements.

Financial Considerations – Whaiwhakaaro ā-Pūtea

The total costs to amend the Schedule are minimal. They consist of staff time required to make the changes outlined above and are budgeted for in the current year forecast when the costs will be incurred.

Risks - Tūraru

There are no known significant risks associated with the decisions required for this matter.

Iwi and Mana Whenua Considerations - Whaiwhakaaro ki ngā Iwi me ngā Mana Whenua

The matters considered through this report are not considered to have any impacts on mana whenua or iwi.

8 NEXT ACTIONS

Action	Responsibility	By When
Update Council website with amended Schedule	Strategy/Comms	August 2024

9 APPENDIX - ĀPITITANGA

No:	Appendix Title
1	Schedule of Fees and Charges 2024/25 v52 (document number 11112185)



Melanie Andrews

STRATEGIC POLICY ADVISOR



Reviewed by Melissa Russo

MANAGER STRATEGY



Approved by Kirsty Downey

GROUP MANAGER STRATEGY

APPENDIX 1

Schedule of Fees and Charges 2024/25 v52 (document number 11112185)

Schedule of Fees and Charges 2024/25

May 2024

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Administration fees

Description	Fees & charges 2024/25
Fee for issuing a refund for an overpayment in rates and/or user fees and charges	\$25.30
Printing / copying	
Scanning – per page	\$1.10 for first page, then \$0.60 for each additional page to a maximum charge of \$10.00
Single sided – per page A4 (black and white)	\$0.50
Double sided – A4 (black and white)	\$0.90
A4 – per page/side (colour)	\$1.10
Double sided (colour)	\$2.20
A3 – per page (black and white)	\$1.70
A3 - double sided (black and white)	\$1.70
A3 – per page (colour)	\$2.20
A3 - double sided (colour)	\$4.40

Building control fees

	Project Category	Fees & charges 2024/25
No mileage charged for these categories	1 Solid Fuel Heater	\$502.43
	2 Minor Works (1 inspection hour) Plumbing or drainage – External Drainage only Insulation Garden shed (10m ² to 20m ²) Solar heating panels	\$553.85
	Project Information Memorandum (PIM)	\$143.00
	3 Minor Building Work (1.5 inspection hours) Carports Demolition (any building size) Swimming pool/Spa pool fence only (swimming pool exempt under schedule 1) Decks/pergolas Shade-sails/archgolas Effluent tanks Fence/signage Retaining walls Marquee inspection (over 100m ² floor area)	\$877.90
	Project Information Memorandum (PIM)	\$203.50
	4 Other Buildings (2 inspection hours) Garages	\$949.85

		Project Category	Fees & charges 2024/25
		Hay barns Implement sheds Swimming pool/spa pool Conservatories	
		Project Information Memorandum (PIM)	\$203.50
5		Detached habitable buildings – up to 30m ² no plumbing or drainage, e.g. sleep out, office, studio. (2 inspection hours) Alterations and additions up to 30m ² – no plumbing or drainage Cowshed extensions	\$1127.50
		Project Information Memorandum (PIM)	\$278.30
6		Detached habitable buildings Up to 30m ² with plumbing and drainage, e.g. sleep out with toilet and shower. (4 inspection hours) Alterations and additions up to 30m ² with plumbing or drainage	\$1820.50
		Project Information Memorandum (PIM)	\$278.30
7		Alterations and additions up to 60m ² (5 inspection hours) Other new buildings up to 60m ² , e.g. industrial workshop, commercial office (excludes dwellings). <i>Note: for work over 60m², dwelling or commercial/industrial fees apply</i>	\$2267.90
		Project Information Memorandum (PIM)	\$278.30
8		Dairy sheds (5 inspection hours)	\$2370.50
		Project Information Memorandum (PIM)	\$278.30
9		Re-sited dwellings (6 Inspection hours)	\$2861.65
		Project Information Memorandum (PIM)	\$385.00
10		Dwelling single storey – up to 100m ² (8 inspection hours)	\$3451.80
		Project Information Memorandum (PIM)	\$385.00
11		Dwelling single storey – up to 250m ² (9 inspection hours)	\$3946.80
		Project Information Memorandum (PIM)	\$385.00
12		Dwelling single storey – in excess of 250m ² (10 inspection hours)	\$4738.80
		Project Information Memorandum (PIM)	\$385.00
13		Multi-unit dwelling single storey - first unit as per fees above. Plus per unit charge after 1 st unit	\$1287.00 +\$198 per Inspection charge
14		Dwelling two storey or more – up to 250m ² (10 inspection hours)	\$4441.80
		Project Information Memorandum (PIM)	\$385.00
15		Dwelling two storey or more – in excess of 250m ² (11 inspection hours)	\$5332.80
		Project Information Memorandum (PIM)	\$385.00
16		Multi-unit dwelling two storey or more - first unit as per fees above. Plus, per unit charge after 1st unit	\$1584.00 +\$198 per Inspection charge
17		Small commercial/industrial – up to 300m ² (8 inspection hours)	\$4342.80
		Project Information Memorandum (PIM)	\$517.00
18		Commercial/industrial – in excess of 300m ²	Actual staff time

	Project Category	Fees & charges 2024/25
	Project Information Memorandum (PIM)	\$693.00
19	Transportable Build (partnership fee)	\$2233.00

Building consent

Description		Fees & charges 2024/25
BRANZ	For every consent with an estimated value of \$20000 and over	\$1.00 per \$1000
MBIE	For every consent with an estimated value of \$20444 <u>\$65000</u> and over	\$1.75 per \$1000
Inspections	Additional inspections when a client requests an inspection but project was not ready, inspection was not covered by the standard fee.	\$190.00
Secondhand building	Inspection of secondhand building to be relocated in the District: Additional travel costs of \$0.95 per km apply to inspections outside the District	\$570.90
Travel costs	Applies to inspections in excess of 5km from the office where the consent was issued.	\$0.95 per km
Section 77	Certificate for construction over two or more allotments (Section 77 Building Act 2004)	\$286.00
	Internal process by council staff Council's solicitor to prepare notice	At cost
Section 73	Notice when building on land subject to a natural hazard (Section 73 Building Act 2004)	\$286.00
	Internal process by council staff Council's solicitor to prepare notice	At cost
Certificate of Acceptance	Applications for Certificate of Acceptance (Section 97 Building Act 2004). In addition to the fees that would have been payable had the owner or previous owner applied for a building consent before carrying out the building work.	Actual staff time plus BC fees
Certificate for Public Use	Applications for Certificate for Public Use (Sections 363A and 363B Building Act 2004)	\$605.00
Certificate for Public Use (CPU) extension of time	Applications for Certificate for Public Use extensions (Sections 363A and 363B Building Act 2004)	\$185.00
Building Consent Exemption	Exemption from requirement to obtain a building consent under Schedule 1 clause 2	\$190.00 + Actual staff time
Compliance	New compliance schedules	\$396.00

Description		Fees & charges 2024/25
Schedules	(Section 111 Building Act 2004) Amendments to existing compliance schedule (Sections 106 and 107 Building Act 2004)	\$185.00
BWOF	Building Warrant of Fitness (BWOF) audit inspections (Section 111 Building Act 2004)	Actual staff time
Variations	Applications for variations to a Building Consent (Section 45 Building Act 2004)	\$165.00 + \$190.00 per hour processing time
Peer review	Peer review of specific designs by external agents, e.g. Structural Engineer, Fire Engineer, Lift Engineer, Mechanical Engineer	Cost plus 5% handling fee
Pool inspection	First inspection	\$108.00
	Subsequent inspections	\$60.00
Waivers or modifications	Applications for waivers or modifications in relation to means of restricting access to residential pools (Section 67A Building Act 2004)	\$780.00
Extension of time requests	Application to extend time for which a building consent is valid - Fee covers application only, processing time will be charged separately at the applicable hourly rate.	\$185.00
Amusement device permits	For one device, for the first seven days	\$11.50
	For each additional device operated by the same owner for the first 7 days	\$2.30
	For each device for each further period of seven days. Section 11 Amusement Device Regulations 1978. These fees are set by the Regulations	\$1.15
Exemption to carry out seismic work	Process application for exemption from requirement to carry out seismic work on a building subject to an earthquake-prone building notice. (Section 133AN Building Act 2004)	\$570.00
Building Consent Checks	Check building consents for planning compliance under the Resource Management Act	\$110 fixed

Notes:

1. Fees are to be paid in full.
2. All references herein to Section and Schedule matters are to the Sections and Schedules of the Building Act 2004 unless otherwise specified.
3. Should any particular job significantly exceed the stated fee, an additional charge will be payable.
4. Where external expertise is necessary in processing building consents, the charge for those services will be passed onto the applicant.
5. This scale of fees does not include a structural checking fee.
6. Fees for project categories 1, 2 and 3 are to be paid in full on application. For all other categories paid on granting of consent.
7. Marquees over 100m² floor area require a building consent, and therefore require inspection. Marquees of less than 100m² floor area may be inspected at the erector's request; the same fee will apply.
8. Building consent exemptions can be applied for in respect of marquees that have been professionally erected.
9. Travel costs of \$0.95 per km will apply to categories 4 – 15, where the project is located in excess of 5kms from the nearest Council office.
10. "Actual staff time" is charged at the rate in the Council Professional Fees section.
11. Building Consent fees include the cost of the Code Compliance Certificate.

12. Project Information Memorandum fees are payable in full on application.
13. Council is required to collect fees on behalf of others:
 - a. **Building Research Association Levy**
 - i. For every building consent with an estimated value of \$20000 and over, \$1.00 per \$1000 is payable.
 - b. **Building Levy**
 - i. For every building consent with an estimated value of \$20444 and over, \$1.75 per \$1000 is payable.

Cambridge council meeting room charges

Description	Fees & charges 2024/25	
	Profitable Organisation / Private Function	Non-Profit Organisation
Bond (payable when booking is outside business hours)	\$285.00	\$112.00
Removal/reinstatement of furniture by Council staff (optional)	\$112.00	\$112.00
Half day or less		
Whole facility	\$99.00	\$66.00
Committee room (per room)	\$49.00	\$33.00
Meeting room (per room)	\$44.00	\$27.00
Kitchen	\$27.00	\$11.00
Full day – 8.00am to 5.00pm		
Whole facility	\$192.00	\$126.00
Committee room (per room)	\$88.00	\$55.00
Meeting room (per room)	\$77.00	\$44.00
Kitchen	\$55.00	\$22.00
Night – 5.00pm onwards		
Whole facility	\$99.00	\$66.00
Committee room (per room)	\$49.00	\$33.00
Meeting room (per room)	\$44.00	\$27.00
Kitchen	\$27.00	\$11.00
Day and night – 8.00am to late at night		
Whole facility	\$242.00	\$145.00
Committee room (per room)	\$117.00	\$61.00
Meeting room (per room)	\$44.00	\$33.00
Kitchen	\$38.00	\$22.00
Weekend – Friday 5.00pm to Sunday 10.00pm		
Whole facility	\$357.00	\$236.00
Committee room (per room)	\$187.00	\$99.00
Meeting room (per room)	\$55.00	\$33.00
Kitchen	\$55.00	\$44.00
Security token (replacement or lost)	\$55.00	

Description	Fees & charges 2024/25	
	Profitable Organisation / Private Function	Non-Profit Organisation
Furniture damage	Whole bond (minimum) or cost	
Extraction carpet clean	\$176.00	
Damage to facility	Whole bond (minimum) or cost	
Call out fee for insecure building	\$187.00	\$187.00
Cleaning and re-stocking toilet consumables (for bookings longer than 1 consecutive day)	\$55.00	\$55.00

Cambridge Town Hall

Fees and charges for Cambridge Town Hall room hire are no longer set or administered by Waipā District Council. They are now the responsibility of the Cambridge Town Hall Trust.

External lighting of the Cambridge Town Hall façade and Cambridge Clock Tower remain the responsibility of Waipā District Council. The lighting of both can be changed as part of community events.

Description	Fees & charges 2024/25
Event lighting changes: Cambridge Town Hall façade only	\$275.00
Event lighting changes: Cambridge Clock Tower only	\$275.00
Event lighting changes: combined Town Hall façade and Clock Tower	\$550.00

Cemetery fees

Description	Fees & charges 2024/25
Internments	
Te Awamutu casket (Burial) internment	\$1155.00
Hautapu casket (Burial) internment	\$1155.00
All other casket (Burial) internment	\$1155.00
Stillborn	\$88.00
Children under nine	\$146.00
Ashes	\$116.00
After hours extra fees (see note 4) After 2:00pm Monday – Friday. After 12:00 noon Weekends / Public Holidays. Before 10.00am Monday or the day after a public holiday.	\$180.00 per additional hour
<i>All interments in the Waipā District Council will be double depth (2.27m) unless stated</i>	
Disinterment/Reinterment	
Within 12 months	At cost
After 12 months	At cost
Ashes	At cost
Reopening fee	At cost (+ Internment fees)
Plot purchase (including maintenance)	
Te Awamutu adult plot	\$2530.00
Hautapu adult plot	\$2530.00
Adult plots (all other cemeteries)	\$2320.00
Children's plots (aged under nine years)	\$554.00
Ashes <i>(This fee does not include a plaque – the plaque shall be supplied by the applicant and shall be of such dimensions to fit on a standard berm)</i>	\$500.00
RSA (see note 5)	No charge
Surcharge on reserved plots	\$167.00
Natural burial	
Natural burial plot	\$2143.00
Natural burial internment	\$1155.00
Eco ashes plot	\$500.00
Eco ashes internment	\$116.00
Memorial installation	
Permit processing fee	\$55.00

Notes:

1. All internments in Waipā District Council will be double depth (2.27m) unless stated.

2. Plot fees do not include a memorial – upon approval by Council, a plaque or headstone shall be supplied and installed through a qualified mason. This is the responsibility of the applicant and shall be of such maximum dimensions as stated in our guidelines.
3. Add 50% to all costs for persons that have lived less than five years within Waipā District during their lifetime.
4. Internments outside these hours are accepted at the discretion of council.
5. While no fee is charged for an RSA plot, standard council interment fees apply.

Council professional fees

Description	Fees & charges 2024/25
Manager (any)	\$258.00/hr
Team Leader (any)	\$243.00/hr
Principal Policy Advisor	
Consultant Engineer	
Senior Planner	\$228.00/hr
Senior Policy Advisor	
Senior Engineer	
Project Planner	
Biodiversity Planner/Ecologist	
Principal or Senior Building Inspector or Processor	
Development Contributions Officer	
Senior Environmental Health Officer	
Intermediate Engineer	\$211.00/hr
Intermediate Planner	
Planner	\$205.00/hr
Policy Advisor	
Reserves Planner	
Engineer	
Environmental Health Officer	
Building Inspector/ Processor (Compliance Officer)	\$190.00/hr
Senior Enforcement Officer	\$165.00/hr
Property Advisor	
Graduate Planner	\$159.00/hr
Graduate Policy Advisor	
Duty Planner	
Graduate Engineer	
Technical Officer	

Description	Fees & charges 2024/25
Monitoring and Enforcement Officer	
Other Staff	
Senior Technical Administrative Officer	
Development Contributions Officer	
Building Support and Quality Officer	
Governance Officer	\$110.00/hr
Administrative Officer	
Technical Administrative Officer	
Mileage	\$0.95/km
Disbursements	At cost as charged to Council by the provider

Development contribution fees

Description of service	Fees & charges 2024/25
Development Agreement preparation and negotiation Development Contribution pre-application estimates and advice	Actual staff time
Development contributions objections	All actual and reasonable costs in accordance with section 150A of the Local Government Act 2002

Notes:

1. Development contributions are not actual fees, but are contributions paid towards the costs of infrastructure development. For more information on Development Contributions, please refer to the Development Contributions Policy: <https://www.waipadc.govt.nz/our-services/planning-and-resource-consents/development-contributions>

Dog registration and impounding fees

Description	Fees & charges 2024/25	
	Standard if paid by 31 July 2024	including 50% penalty if paid on or after 1 August 2024
Urban Fee (for full year):		
No rebates	\$101.00	\$151.50
Neutered Rebate (\$10.00)	\$91.00	\$136.50

Fencing Rebate (\$15.00)	\$86.00	\$129.00
Fencing and Neutered Rebates (\$25.00)	\$76.00	\$114.00
Rural Fee (for full year)	\$58.00	\$87.00
Out of District Fee (for impounded dogs only)	\$58.00	\$87.00

Notes:

1. Dog registration fees are due by 30 June 2024, and must be paid by 31 July 2024.
2. The above fees are prescribed and apply to all dogs over the age of 3 months.
3. A penalty will apply for late payment each year, from 1 August, the applicable fee will increase by 50% as provided for in the Dog Control Act 1996.
4. The penalty does not apply within 14 days of acquiring a dog, or within 14 days of the dog attaining three months of age.
5. No fee is payable in respect to certified assistance dogs provided re-registration is completed by the due date, after which the standard fees apply.
6. Registration fees for dogs re-homed by Council, or dogs in the care of any registered charity organisation approved by the Animal Control Team Leader for subsequent rehoming, may be waived.
7. Urban and rural areas for the purpose of dog registration fees are shown on Council maps and may be subject to adjustment.
8. A pro-rata rate will apply to any puppy aged less than 3 months after the penalty date, based on the number of complete months remaining in the registration year.
9. To receive the fencing rebate, an application must be made to Council prior to 1 April and the property must be inspected by an Animal Control Officer and approved as suitable for the type of dog. Applications received after 1 April may be processed but rebate will not apply until the following registration year.
10. To receive the neutered dog rebate, a veterinary certificate must be provided at the time of, or prior to, registration.
11. Dogs classified as dangerous pursuant to the Dog Control Act 1996 will pay an additional 50% of the usual fee that would apply to that dog if it was not classified.
12. Any owner entitled to a refund of a registration fee may choose to donate that fee to Council for use in rehoming activities, or a welfare organisation approved by the Animal Control Team Leader.
13. Application forms are available from Council offices or application may be made online at www.waipādc.govt.nz

Definitions

14. "Property" means a property or a collection of properties under common occupancy or ownership, and in a single record of title.

Impounding fees for dogs

Description	Fees & charges 2024/25
Fee for seizure/custody or first impounding	\$82.00
Fee for each subsequent impounding within the current registration year	\$100.00
Fee for micro chipping	\$30.00
Sustenance (per day)	\$11.00
Sundry Items (when available)	
Slip Leads/Clip Leads - 3/8 inch width	\$20.00 Actual
Slip Leads/Clip Leads - ½ inch width	\$22.00 cost
Doggy Doo Bags – x4 rolls (12 bags per roll)	\$3.40 Actual-cost

Notes:

15. *The destruction or disposal fee for any unwanted/unclaimed/surrendered/ impounded dog is \$55.00 plus applicable sustenance fees.*
16. *The owner of an impounded dog that is not claimed or signed over to Council remains liable for all impounding and sustenance fees irrespective of the fate of the dog.*
17. *Micro chipping is to be booked and paid in advance and will occur at times and locations specified by Council. Other arrangements may incur additional fees.*

Kerbside recycling service

Recycling bin

Description	Fees & charges 2024/25
240L Mixed Recycling Wheelie Bin	\$86.00 per bin
140L Glass Only Wheelie Bin	\$75.00
Partial charge for new rated properties	Full months of rating year remaining ÷ annual charge
Administration Fee (where the annual recycling rate is not levied)	\$36.80

Any replacement wheelie bins needed because of customer damage or loss will be charged at the fee indicated above.

Notes:

1. *The cost of the bins is included in rates if they're paid by 1 July. Where a new property has been rated for the service after 1 July, they will be required to pay a partial charge for the recycling service. The partial charge is based on the remaining full months in the rateable year divided by the current annual kerbside recycling targeted rate.*
2. *In all other cases the bins will charged at the fee indicated above.*

Library fees

Description	Fees & charges 2024/25
Annual library subscription for non-resident patron (per family)	\$77.00
Monthly library subscription for non-resident patrons (per family) <i>Applies only to months when library services are used.</i>	\$6.60
Rest Homes/Private Hospitals annual subscription (<i>alternatively residents may opt to pay charges on each item borrowed</i>)	\$105.00

Description	Loan Period	Fees & charges 2024/25
New adult book fee – adult books up to 2 years old (determined by original copyright date) *	21 days	\$1.50
Adult books over 2 years old*	21 days	\$0.00

Description	Loan Period	Fees & charges 2024/25
Magazines (excluding children's and teens magazines) up to 1 year old	7 days	\$1.00
Magazines (excluding children's and teens magazines) over 1 year old	7 days	\$0.50
Children's and teenage books	21 days	No charge
Children's and teenage magazines	7 days	No charge
Audio books (for non-print disabled patrons) <i>Print disabled patrons entitled to free use of audio books on presentation of suitable proof</i>	21 days	\$2.00
Jigsaw puzzles	21 days	\$1.00
Children's jigsaw puzzles	21 days	\$0.50
DVDs	7 days	\$2.50
E-audio book fee	21 days	\$2.00
Renewals	Same charge as original issuing of item	

Services	Fees & charges 2024/25
Replacement library card	\$3.00
Internal reserves (Waipā Libraries) – adult items	\$1.50
Internal reserves (Waipā libraries) – children's / teen items	\$1.00
Interloan requests (from other libraries)	\$8.00 to \$25.00
Sale books	Prices as marked
Library bags	\$2.50
Internet access (public computers) – per 30 minutes or part thereof	\$0.00
Book covering service	\$5.00 to \$10.00
Event costs	As advertised
Laminating – A4 – per page	\$2.00
Laminating – A3 – per page	\$4.00

Note:

1. For all photocopying / printing / scanning fees please refer to the "Administration fees" section.

Overdue charges	2024/25
Adult books (two days grace)	\$0.00
Magazines (one day grace)	\$0.00

Overdue charges	2024/25
Audio books (two days grace)	\$0.00
DVDs (one day grace)	\$0.00
Lost and/or damaged materials notice. Once an item is more than 25 days past its final due date, a lost fee and processing fee will be applied.	Account for cost of items plus \$10.00 processing charge

Library community space (Te Awamutu)

Description	Fees & charges 2024/25	
	Commercial Use or Private Hire	Event or Community Use
Bond (payable when booking is outside business hours)	\$0.00	\$0.00
Deposit payable on booking	\$0.00	\$0.00
Community room and adjacent kitchen		
Full day hire (maximum 12 hour use)	\$357.50	\$175.00
Half day hire (maximum 4 hour use)	\$236.50	\$110.00
Sundry charges associated with use of complex		
Security token (replacement or lost)		\$55.00
Client preparation or pack down time before or after booking (if available)		\$19.80 per hour flat rate
Furniture damage		Cost of replacement
Extraction carpet clean		\$176.00
Damage to facility		Cost of replacement
Call out fee for insecure building		\$187.00
Cleaning and re-stocking toilet consumables (for bookings longer than 1 consecutive day)		\$55.00

Mapping/GIS charges

Map prints and photo maps

Existing Maps Printed By Council Staff – colour print	Paper Size	Fees & charges 2024/25
Includes: Street/Ward maps District maps Recycling/Refuse maps Non-aerial and aerial photo maps any custom map prepared by GIS staff	A4	\$1.10
	A3	\$2.20
	A2	\$11.00
	A1	\$19.30
	A0	\$33.00
Additional charge where labour is 30 minutes or more		\$85.80 per hour or part thereof
Maps for Emergency Services (Police, Fire & Ambulance), schools and students (using maps as part of their study): Maps Labour (30 minutes or more)		Free \$44.00 per hour or part thereof

Maps - Produced from INTRAMAPS – colour print	Paper Size	Fees & charges 2024/25
Any map produced directly from INTRAMAPS	A4	\$1.10
	A3	\$2.20

Unprocessed aerial photography digital data	Fees & charges 2024/25
High Resolution Aerial Imagery Tile (georeferenced TIFF)	\$75.00 each
Medium Resolution Aerial Imagery Tile (georeferenced TIFF)	
High Resolution Aerial Imagery for individual locations of Cambridge/Karapiro, Te Awamutu/Mystery Creek, Te Miro, Ohaupo, Pirongia, Waipā SE or Waipā West (georeferenced ECW)	
High Resolution Aerial Imagery for complete Waipā District (georeferenced ECW)	\$150.00 each
Any Aerial Imagery produced by GIS staff (georeferenced ECW, JPEG or TIFF)	Actual staff time
Collation of digital data and writing to media (no charge for organisations undertaking work on behalf of Council)	\$85.80 per hour or part thereof

Note:

1. All maps are available in either paper or digital formats. Digital format refers to Adobe PDF or JPEG images of the maps.

Mighty River Domain – Lake Karāpiro – Room Hire

Sir Don Rowlands Centre	Fees & charges 2024/25	
	Corporate or Private Function	Event or Community Use*
Booking deposit	Payable on request	
Bond	Payable on request	
Main Hall (includes car parking and Main Kitchen, if required)		
Full day hire (maximum 12 hour use)	\$1837.00	\$1006.00
Main Kitchen (if Main Hall is not hired)		
Full day hire (maximum 12 hour use)	\$280.00	\$271.00
Half day hire (maximum 4 hour use)	\$209.00	\$203.00
Foyer and/or Servery (stand-alone hire)		
Full day hire (maximum 12 hour use)	\$187.00	\$128.00
Ground level Event/Conference Room (Waipā Room)		
Full day hire (maximum 12 hour use)	\$399.00	\$172.00
Half day hire (maximum 4 hour use)	\$146.00	\$101.00
First floor Event/Conference Room and adjacent kitchen (Karāpiro Room)		
Full day hire (maximum 12 hour use)	\$572.00	\$301.00
Half day hire (maximum 4 hour use)	\$268.00	\$171.00
Kitchen – stand-alone hire (maximum 12 hour use)	\$190.00	
Te Manawa O Matariki Room		
Full day hire (maximum 12 hour use)	\$503.00	\$294.00
Half day hire (maximum 4 hour use)	\$262.00	\$157.00
Sundry charges associated with use of complex		
Access to facility for set up etc. prior to hireage period	By negotiation	
Staff assistance with event organisation/ venue set up	Quotation prepared on request	
Hireage of additional furniture/equipment	Quotation prepared on request	
Stage & Lectern hire	\$132.00	\$145.00
Post hire clean-up (if required – per staff member per hour)	\$27.00	\$30.00

Sir Don Rowlands Centre	Fees & charges 2024/25	
	Corporate or Private Function	Event or Community Use*
Scissor Lift – equipment hire only (up to 6 hours use)	\$225.00	
Scissor Lift – operator hire (per hour, minimum 1 hour charge)	\$42.00	
Carpet deep clean (if required)	Full cost to be passed onto complex user	
Internet service during hire period	Full cost to be passed onto complex user	
Repair or replacement of damaged/lost equipment	Full cost to be passed onto complex user	
Repair of damage to facility	Full cost to be passed onto complex user	
Security call out (if required)	Full cost to be passed onto complex user	
Replacement of key/access card	Full cost to be passed onto complex user	
Security staff attendance at function	Full cost to be passed onto complex user	

Perry Community Water Sports Centre, Home of the Cambridge Yacht Club	Fees & charges 2024/25	
	Corporate or Private Function	Event or Community Use*
Booking deposit	Payable on request	
Bond	Payable on request	
Full day hire (maximum 12 hour use)	\$433.00	\$215.00
Half day hire (maximum 4 hour use)	\$220.00	\$110.00
Sundry charges associated with use of complex		
Access to facility for set up etc. prior to hireage period	By negotiations	
Staff assistance with event organisation/venue set up	Quotation prepared on request	
Hireage of additional furniture/equipment	Quotation prepared on request	
Post hire clean-up (if required – per staff member per hour)	\$30.00	
Internet service during hire period	Full cost to be passed onto complex user	
Carpet deep clean (if required)	Full cost to be passed onto complex user	
Repair or replacement of damaged/lost equipment	Full cost to be passed onto complex user	
Repair of damage to facility	Full cost to be passed onto complex user	
Security call out (if required)	Full cost to be passed onto complex user	
Replacement of key/access card	Full cost to be passed onto complex user	
Security staff attendance at function	Full cost to be passed onto complex user	

Notes:

1. Facility users are required to complete a hire contract prior to using the facility. Bookings are accepted and/or prioritised as stipulated in the 'hire protocols' for the site.

2. 'Event or Community Use' charges apply to event hosts who are using the site for an event and have hired one or more zones and not for profit community organisations that are based and operate in the Waipā District. Out of District not-for-profit community organisations may apply to receive 'Event or Community Use' hire rates. The merit of such applications will be considered on a case by case basis.

Mighty River Domain – Lake Karāpiro – Accommodation and camping charges

Accommodation and Camping charges	Fees & Charges 2024/25
Camping	
Non-Power Site	
Adult (per night)	\$22.00
Child (12 and under per night)	\$19.00
Minimum site charge per night (1 Nov – 30 April)	\$66.00
Deposit (per site)	Full charge for first night and 50% charge for each subsequent night
Powered Site	
Adult – per night	\$24.00
Child – (12 and under per night)	\$19.00
Minimum charge per site per night (1 Nov – 30 April)	\$72.00
Deposit (per site)	Full charge for first night and 50% charge for each subsequent night
Rob Waddell Lodge	
Adult – per night	\$35.00
Child (12 and under) – per night	\$29.00
Minimum charge per night (non-event)	\$350.00
Minimum charge per night (event)	\$980.00
Deposit for Lodge	Full charge for first night and 50% charge for each subsequent night
Full day use of Lodge (to 5pm)	\$350.00
Late check-out/half day use of Lodge (to 1pm)	\$190.00
Chalets 1-5	
Adult – per night	\$35.00
Child (12 and under) – per night	\$29.00
Minimum charge (non-event) – per Chalet, per night	\$105.00
Minimum charge (event) – per Chalet, per night	\$210.00
Deposit (per Chalet)	Full charge for first night and 50% charge for each subsequent night
Late check-out (per Chalet)	\$105.00

Accommodation and Camping charges	Fees & Charges 2024/25
Sundry charges	
Internet service during hire period	Full cost to be passed onto accommodation user
BBQ hire (per use) (preference given to accommodation users)	\$35.00
Power adapter hire (per day)	\$16.00
On-site caravan storage (per day) (not connected to power)	\$10.00
Non Resident dump station charge	\$8.00
Use of shower (per shower) (preference given to accommodation users)	\$8.00
Repair or replacement of damaged/lost equipment	Full cost to be passed onto accommodation user
Repair of damage to facility	Full cost to be passed onto accommodation user
Replacement of key/access card	Full cost to be passed onto accommodation user

Note:

1. Bookings are accepted and/or prioritised as stipulated in the 'hire protocols' for the site. Cancellation of bookings later than 45 days prior to booked dates will forfeit the deposit. 10.00am check out applies.
2. Fees were last updated in the Schedule of Fees and Charges 2020/21.

Mighty River Domain – Lake Karāpiro – Domain & Lake Use charges

Domain and Lake use	Fees & Charges 2024/25			
	Local/ Small	Regional/ Medium	North Island/ Large	National/ Very Large
Lake				
Lake water Zones 3 – 10	\$94.00	\$184.00	\$275.50	\$370.00
Additional Zones (each)	\$94.00	\$94.00	\$94.00	\$94.00
Domain				
Main spectator ground	\$477.00	\$952.00	\$1426.00	\$1903.00
Main parking area	\$203.50	\$510.40	\$761.00	\$1012.00
Parking area near sand court	\$203.50	\$510.50	\$761.00	\$1012.00
Lower camping ground (charge for use other than camping)	\$203.50	\$510.50	\$761.00	\$1012.00
Upper camping ground (charge for use other than camping)	\$203.50	\$510.50	\$761.00	\$1012.00
Lawn beside Rob Waddell Lodge	\$203.50	\$510.50	\$761.00	\$1012.00
Event booking fee				
Standard charge for all bookings – per event	\$185.00			

Non-Event Domain use	Fees & Charges 2024/25	
	Commercial Use/Private Hire	Community Use*
Groups of 20 – 49 people	\$187.00	\$70.00
Groups of 50 – 149 people	\$355.00	\$355.00
Groups of 150+ people	\$485.00	\$485.00

Other Charges	Fees & Charges 2024/25
Power supply use and associated refuse collection (from food vendors)	
Per connection, per day/night– 10% discount applies when user requires two or more connections at once	
32 Amp connection	\$100.00
16 Amp connection	\$60.00
10 Amp connection	\$35.00
Water use	
Continuous hose supply, per day (maximum 12 hour use)	\$40.00
Traffic management boards (per day)	
Small events (0-600 people on site)	\$180.00
Large events (600-6000 people on site)	\$400.00
Traffic management set up cost	\$150.00
Post event site clean-up (if required)	
Per staff member, per hour	\$35.00
Rubbish disposal above the maximum threshold (refer the Mighty River Domain Event Management Guide), per 3m ³ skip	\$120.00
Repair or replacement of damaged/lost equipment	Full cost to be passed onto site user
Repair of damage to facility	Full cost to be passed onto site user
Staff assistance with event organisation	Quotation prepared on basis of necessary staff skills and hours involved
Outdoor pursuits	
Challenge ropes courses (high & low)	Quotation prepared for all events on basis of instructors' hours and equipment levy
Team building, orienteering, raft building	
Internet service during hire period	Full cost to be passed onto site user
Security staff attendance at event	Full cost to be passed onto site user

Notes:

1. Bookings are accepted and/or prioritised as stipulated in the 'hire protocols' for the site.
2. *'Community Use' charge applies to not-for-profit community organisations that are based and operate in the Waipa District.

3. 'Local/Small' events are those predominantly attended by local residents, involving up to 500 persons on the site for the event in one day.
4. 'Regional/Medium' events are those predominantly attended by residents from within the Waikato region, involving between 500 and 2000 persons on the site for the event in one day.
5. 'North Island/Large' events are those predominantly attended by residents from within the North Island, involving between 2000 and 5000 persons on the site for the event in one day.
6. 'National/Very Large' events are those predominantly attended by NZ residents, involving more than 5000 persons on the site for the event in one day.
7. Fees were last updated in the Schedule of Fees and Charges 2020/21.

Museum fees (Te Awamutu)

Description	Fees & charges 2024/25
Minimum fee for public programmes	\$2.00
Self-research	No charge
Research Service time including searching, retrieval, reproduction, distribution and replacement material – no charge for the first 15 minutes.	\$27.50 per half hour
Charges additional to research time as above	
Digital images (per image) <i>Charges are dependent on factors such as image format, quality and delivery</i>	\$10.00-\$40.00
Publication Fees (local history and education publications)	\$15.00 per image + \$22.00 for half hour of staff
Publication Fees (NZ Rights)	\$50.00-\$250.00 + \$22.00 per half hour for staff
Publication Fees (World Rights)	\$50.00-\$500.00 + \$22.00 per half hour for staff
Photographic prints <i>Charges are dependent on factors such as image format, quality and delivery</i>	\$5.00 - \$40.00

Note:

1. For all other photocopying / printing / scanning fees please refer to the "Administration fees" section.

Enriched Local Curriculum (ELC) (fees set within MoE contract)

Description	Fees & charges 2024/25
Education Entry Rate for students	\$3.00 per student

Accompanying Adult for Education programme	No charge
Cancellation Fee – charged to the school if programme is cancelled less than 2 days prior to booking without just cause	\$20.00

Official Information Requests (LGOIMA)

In line with the Local Government and Official Information and Meetings Act 1987 (LGOIMA), Council is required to make available certain public or personal information which it holds.

The Act also makes provision for Council to make a charge for this information, but the charge must be reasonable and is for the cost of labour and materials involved in making the information available. If the request is urgent then the Council may have to use additional resources to gather the information promptly and the Act permits Council to charge for these extra resources.

The Council will advise the applicant of the likely charges, if any, before it commences with the request and will give the applicant the opportunity to decide whether or not to proceed with the request. In such cases, the Council may require that the whole or part of the charge be paid in advance before commencing to process the request.

The following charges and procedures for the provision of official information are approved by Government and endorsed by the office of the Ombudsman.

Existing charges to remain

There are currently areas where access to official information is given free of charge or pursuant to an existing charging arrangement.

Fixing the amount of charge

The amount of charge will be determined by:

- Establishing whether or not the request is made by an identifiable natural person seeking access to any personal information about that person.
- Such requests are **not** subject to any charge.
- The aggregate amount of staff time exceeding one hour spent in actioning the request.
- This will include search and retrieval of information, the provision of transcripts and the supervision of access.
- The number of pages of A4 sized of foolscap photocopy to be provided exceeding 20.
- For any other cost, the amount actually incurred in responding to the request.
- This will cover the provision of copies of video, audio and film tapes, computer time or other situations where a direct charge is incurred.

Where repeated requests are made in respect of a common subject over intervals of up to eight weeks, the Council will aggregate these requests for charging purposes. This means that the second and subsequent requests will not be subject to half an hour of free time and 20 free standard A4 photocopies.

The charge should represent a reasonable fee for access given. It may include time spent:

- In searching an index to establish the location of the information.
- In locating (physically) and extracting the information from the place where it is held.
- In reading and reviewing the information.
- In supervising the access to the information.

The charge should **not** include any allowance for:

- Locating and retrieving information which is not where it ought to be; or
- Time spent deciding whether or not access should be allowed and in what form.

Where the free threshold is only exceeded by a small margin it is a matter of discretion whether any fee should be paid and, if so, how much.

Staff time

Time spent by staff searching for relevant material, abstracting and collating, copying, transcribing and supervising access where the total time is in **excess of one hour** should be charged out as follows:

- An initial charge of \$38.00 for the first chargeable half hour or part thereof; and
- Then \$38.00 for each additional half hour or part thereof.

The rate of charge applies irrespective of the seniority or grading of the officer who deals with the request.

Time spent in deciding whether or not to approve access and in what form should **not** be charged.

Photocopying

Photocopying on standard A4 or foolscap paper should be charged out as follows:

- No charge 0 to 20 pages.
- After the first 20 pages, printing costs will be charged as per the administration fees outline in this Schedule.

Actual costs

- All other charges incurred should be fixed at an amount, which recovers the actual costs involved.
- Producing a document by the use of a computer or other like equipment.
- Reproducing a film, video or audio recording.
- Arranging for the applicant to hear or view an audio or visual recording.
- Providing a copy of any map, plan or other document larger than A4 or foolscap size.

Remission of charges

The liability to pay any charge may be modified or waived at the discretion of the department or organisation receiving the request under delegated authority. Full or partial remissions may be considered. Any request for remissions must be made in writing and must include:

- the requester details
- the legal status of the requester (e.g. individual, incorporated society, company, charitable trust etc)
- the reasons for the request

- the amount of remission that is requested.

Such decisions should have regard to the circumstances of each request. However, it would be appropriate to consider inter alia:

- Whether payment might cause the applicant financial hardship.
- Whether remission or reduction of the charge would facilitate enhanced relations with the public or assist the Council or applicant organisation in its work.
- Whether remission or reduction of the charge would be in the public interest because it is likely to contribute significantly to public understanding or of effective participation in the operations or activities of local government, and the disclosure of the information is not primarily in the commercial or private interest of the requester.
- Whether the applicant has formal charitable status under the Charities Act 2005, or otherwise provides a recognised service to the community.
- Is the use of the information, activity or service likely to make a significant contribution to operations and activities of local government?
- Is the use of information, activity or service likely to improve or enhance the understanding of the subject by the public at large as opposed to the individual understanding of the requester or a narrow segment of interested people?
- Is the information relating to the charge meaningful or informative about operations and activities of government that have a direct connection to the reason for the request?
- Is the information relating to the charge already in the public domain in either the same or similar form, which the requester could acquire without substantial cost?
- Is the public at large the primary beneficiary of the expenditure of public funds or is it the requester or a narrow segment of interested people?
- Are there elements of the charges that will have a public benefit and/or is there a public/private benefit split that could be attributed to the charges?
- Is the information, activity or service primarily in the commercial or private interest of the requester rather than the public interest? While it might appear on initial consideration that requests for information, for say, research purposes or to write a book or to have available in a library, might be considered in the 'public interest' and answer some of the criteria; this may not necessarily be so. There should still be reasonable evidence to show that the wider public benefit will accrue as a result of the research, or book or library depository. In the case of the media however, it can be reasonably assumed that they do have access to means of public dissemination. Each request should be considered on a case-by-case basis in light of all relevant information.

Members of Parliament may be exempted from charge for official information provided for their own use. In exercising this discretion, it would be appropriate whether remission of charges would be consistent with the need to provide more open access to official information for Members of Parliament in terms of the **reasonable** exercise of their democratic responsibilities.

Deposits

A deposit may be required where the charge is likely to exceed \$90.00 or where some assurance of payment is required to avoid waste of resources. A deposit may only be requested after a decision has been made to make the information available.

The applicant should be notified of the amount of deposit required, the method of calculating the charge and the likely final amount to be paid. Work on the request may be suspended pending receipt of the deposit.

The unused portion of any deposit should be refunded forthwith to the applicant together with a statement detailing how the balance was expended.

Review of decisions on charges

Section 27(1)(b) of the Official Information Act 1982 provides that the Ombudsman may investigate and review any decision on the charge to be paid in respect of a request for access to official information.

A record should be kept of all costs incurred. Wherever a liability to pay is incurred the applicant should be notified of the method of calculating the charge and this fact noted on the record.

Overweight permit fees

Description	Fees & charges 2024/25
Single Overweight Permit fee (5 day processing) - per application	\$140.00
Single Overweight Permit fee (24 hour processing) - per application	\$165.00
Overweight Permit fee (24 month period) - per application	\$235.00

Note:

1. Charged in accordance with the Waka Kotahi Overweight Permit Manual.

Permits under Waipā District Public Places Bylaw 2023 and Public Places Alcohol Control Bylaw 2015

Mobile traders

Description	Fees & charges 2024/25
Fee - New application	\$175.00
Annual Permit fee	\$350.00
Site assessment fee	\$175.00
Temporary (up to three months)	\$350.00

Notes:

1. Definition of **Mobile Trader** – means any person who in a public place (a) solicits for orders; or (b) offers, distributes, or sells any goods or services by foot or from any vehicle or stall or part thereof.
2. The annual permit fee is applicable to any individual or business issued with a permit to trade from a public place (new application or renewal). New applications will also incur the new application fee due to the extra administration involved.

3. *The application fee is required to be paid at the time the application is submitted. The authorised council officer has discretion to determine if a full refund or partial refund is applicable in the event that the application is declined.*
4. *The site assessment fee is charged by actual staff time. It applies to assessment of requested trading sites for new permit applications or inquiries (annual or temporary) and for changes to existing permit locations.*
5. *The above fees only cover permission to trade from a public place. Traders applying to sell food and beverages may also require a food registration permit under the Food Hygiene Regulations 1974 (see Registration of Premises section).*
6. *Organisers of markets or large events may, under the bylaw, apply for a single permit to cover all participating mobile traders. All participating traders must be listed on the permit and must adhere to the terms and conditions of that permit. Participating traders are not required to hold individual mobile trading permits in addition to the event permit.*

Café tables and chairs and displays of goods for sale

Description	Fees & charges 2024/25
Fee – new permit application	\$283.00
Annual fee – permit renewal	\$93.00
Annual occupation fee – per 1m ² occupied	\$25.00

Signs in public places

Description	Fees & charges 2024/25
Fee – new permit application	\$283.00
Annual fee – permit renewal	\$93.00

Dispensations under Waipā Public Places Alcohol Control Bylaw 2015

Description	Fees & charges 2024/25
Charge for dispensations	\$90.00

Property file information

Description	Fees & charges 2024/25
Simple property file (in electronic media form)	\$33.00
Property file viewed at counter	\$33.00
Complex property file (in electronic media form) e.g. business or industrial establishment	\$66.00
Material cost e.g. USB	\$30.00

Description	Fees & charges 2024/25
Postage of e-link e.g. USB to NZ address	\$5.50
Property file administration e.g. scanning, printing, postage etc	Charges may apply as per the Local Government Official Information and Meetings Act 1987 section earlier in this schedule

Property and lease charges

Description	Fees & charges 2024/25
Lease and License charges	
Annual administration fee for Community Leases	\$392.00
Renewal of commercial lease/s Council owned land	\$336.00 administrative charge plus re-imbursement of Council's legal expenses, DoC fees and Resource Consent Application fees (where applicable)
New lease/assignment or licence to occupy Council land	\$673.00 administrative charge plus re-imbursement of Council's legal expenses, DoC fees and Resource Consent Application fees (where applicable)
Charges related to temporary occupation of Reserve Land (including Road Reserve)	
Commercial use	\$280.00 per day (12 hours maximum) or \$137.00 per half day (4 hours maximum) plus \$605.00 deposit (refundable if reserve left undamaged)
Community group	No charge
Property services	
First ½ hour spent on enquiry/request	No charge
Subsequent time spent on enquiry	Minimum charge of \$83.00 per ½ hour (\$168.00 per hour). Actual and reasonable costs will be calculated on a case by case basis and reimbursement of Council's legal expenses, DoC fees and Resource Consent Application fees (where applicable)

Registration of Premises (Food/Health)

Food Act 2014 – Food Control Plans and National Programmes

Description	Fees & charges 2024/25
Fees applicable to all registration types	
All administration and verification activities including pre-registration assistance, annual audit, reporting, non-conformance visits and any activity not specified in the schedule below for operators based in the Waipā District.	Actual staff time plus \$0.95 per km
All administration and verification activities including pre-registration assistance, annual audit, reporting, non-conformance visits and any activity not specified in the schedule below for operators based outside the Waipā District.	\$228.00 per hour plus \$0.95 per km
Cancellation of scheduled verification within 24 hours or key personnel not available for the verification.	\$185.00
Fees applicable to Food Control Plans	
Application for registration of template Food Control Plan	\$440.00 plus Actual staff time after the first hour
Application for renewal of registration of template Food Control Plan	\$336.00 plus Actual staff time after the first hour
Application for a significant amendment [section 45(3)] of registration of template Food Control Plan, or move from Food Control Plan to National Programme during registration year	\$170.00 plus Actual staff time after the first hour
Application for a minor amendment [section 45(2)] of registration of template Food Control Plan,	\$80.00 plus hourly rate after the first hour
Voluntary suspension of food control plan	\$95.00 plus hourly rate after the first hour
Fees applicable to National Programs	
Application for registration of National Program	\$428.00 plus Actual staff time after the first hour
Application for renewal of registration of National Program	\$336.00 plus Actual staff time after the first hour
Application for significant amendment [Section 81] of registration of National Program or move from National Program to Food Control Plan during the registration year.	\$170.00 plus Actual staff time after the first hour

Description	Fees & charges 2024/25
Voluntary suspension of National Program	\$88.00 plus Actual staff time after the first hour
Issue of improvement notice, or review of an improvement notice	\$185.00 plus Actual staff time after the first hour
Exercising any power referenced by and for the purposes expressed in Section 298 of the Act (except for Sections 302 and 303), which results in a sanction(s) being imposed by the Food Safety Officer or some form of corrective action being required of the operator.	\$185.00 plus Actual staff time after the first hour
Application for statement of compliance	\$185.00 Actual staff time after the first hour
Copies of Food Control Plan folder and documents	\$30.00

“Actual staff time” means the applicable hourly rate as specified in the Council Professional Fees Section.

Temporary food premises in Waipā District

Holders of Food Control Plans (FCP) or National Programs (NP) registered with their home authority will be permitted to trade at events or locations in the Waipā District provided the mobile / off site retail activity is included in that FCP/NP. Any tasks related to these will be charged as per Food Act 2014 fees above. Such traders will require separate Public Places Bylaw approval where appropriate.

Registrations under Health Act 1956

Description	Fees & charges 2024/25
Renewal Offensive trades (Health Act 1956)	\$168.00
New Offensive trades (Health Act 1956)	\$252.00
Renewal Camping grounds (Camping Ground Regulations 1985)	\$168.00
New Camping grounds (Camping Ground Regulations 1985)	\$252.00
Renewal Hairdressers (Health (Hairdressers) Regulations 1980)	\$168.00
New Hairdressers (Health (Hairdressers) Regulations 1980)	\$252.00
Renewal Funeral Directors/Mortuaries (Health (Burial) Regulations 1946)	\$168.00
New Funeral Directors/Mortuaries (Health (Burial) Regulations 1946)	\$252.00
Change of occupier/owner – All registration groups	\$90.00
Replacements or copies of certificates	\$55.00
Hourly rate (for additional inspections etc)	\$168.00

Sale and Supply of Alcohol Act 2012

Description	Fees & charges 2024/25
Request for excerpts of sale of alcohol database (section 66(2))	\$50.00 as per regulation
Applications for waiver pursuant to section 208 of the Act (Deducted from licence application fee)	\$60.00

Other fees and charges

Description	Fees & charges 2024/25
Pre-purchase inspections and/or reports	\$185.00 per hour plus \$0.95 per km
Pre-application meetings and consultation (food or sale of alcohol)	\$185.00 per hour
General inspection fee where not stated above (e.g. swimming pools, housing)	\$185.00 per hour plus \$0.95 per km
Information requests other than the above	As per official information request charges
Replacements or copies of certificates (Food, Health, Alcohol etc)	\$55.00

Regulatory – Other fees and charges

Type	Description	Fees & charges 2024/25
Land Information Memorandum (LIM) pursuant to LGOIMA		
Urgent (5 working days) Properties Zoned Residential, Rural, Deferred Residential	Prepare and issue LIM	\$533.00
Non Urgent (10 working days) Properties zoned Residential, Rural, Deferred Residential	Prepare and issue LIM	\$370.00
All other Zones in District Plan not listed above	Prepare and issue LIM	\$473.00
Overseas Investment Certificates		
	For determining and issuing	\$352.00
Section 348 – Right of Way (ROW)		
Application for ROW under LGA 1974	Processing ROW application	\$787.00
Sale and Supply of Alcohol Act		
	Existing premises	\$179.00

Type	Description	Fees & charges 2024/25
Section 100(f) certificates certifying that the proposed use of the premises meets the requirements of the RMA	New or altered premises	\$280.00
Advertising of alcohol licence applications on Council's website		\$150.00
Alcohol licence hearing costs not associated with the application itself (e.g. translation services etc) will be charged at actual cost.		
Hazardous activities and industries list determinations (HAIL)		
For supplying specific information to determine if a potentially contaminating activity has occurred on a property.		\$90.00
Record of Title search		
For searching for Records of Title through Land Information New Zealand (LINZ).		\$25.00

Resource management fees and charges

Type	Description	Fees & charges 2024/25 'F' are fixed charges, all others are deposits
General		
Pre application	Pre application meeting	Actual staff time except for the first half hour of the first meeting, which will not be charged
Pre-hearing meeting	For any meeting or mediation held (s99)	Actual staff time
Joint subdivision and landuse	For any joint application <i>Note – for joint applications, this is the only deposit that applies.</i>	\$5610.00
Limited notified consent (land use and subdivision)	Any resource consent that requires limited notification	\$8030.00
Notified consent (land use and subdivision)	Any resource consent that requires public notification	\$12980.00
Landuse Consents		
Non-notified	All landuse consents, except as otherwise provided below	\$2805.00
	Resource consents for a Controlled or Restricted Discretionary Activity with non compliance with <u>one</u> bulk and location rule only <i>Note: if you are unsure whether this deposit is applicable, please discuss with a member of the Planning team before submitting your application.</i>	\$1345.00

Type	Description	Fees & charges 2024/25 'F' are fixed charges, all others are deposits
	Non complying (excludes road boundary setbacks which will require the standard \$2550.00 deposit)	\$3925.00
	Cultural landscape area	F \$1345.00
	Character precinct	
	Protected trees <i>Note: a remission up to the full cost of the fixed fee, including the cost of an arborist assessment, will apply where the maintenance of a protected tree is assessed by a qualified arborist as being necessary for safety reasons, or to maintain the health of the tree</i>	F \$990.00
Resource consent exemptions (Section 87 (B)(a) and Section 87 (B) (b) notices)	Boundary activities	F \$335.00
	Marginal or temporary rule breaches	\$700.00
Subdivision consents		
Non-notified	≤ 9 lots, where no road/reserves proposed	\$4380.00
	≤ 9 lots, where roads and/or reserves are proposed	\$5610.00
	≥ 10 lots, (including roads and reserves)	\$9900.00
	Non-complying activities	\$5060.00
Subdivision processes (post approval)		
Section 221	Consent notice - preparation, authorization, change or cancellation	\$335.00
Section 223 certification	For subdivisions ≤ 2 lots	F \$335.00
Section 223 certification	For subdivisions ≥ 3 lots	F \$700.00
Section 224C certification	All subdivisions	\$370.00 + actual staff time
Section 226	Restriction upon issue of record of title	\$560.00
Section 241	Cancellation/partial cancellation of amalgamation condition	\$560.00
Section 243	Easement approval or revocation	\$560.00
Subdivision miscellaneous		
Engineering	For inspections of any works for conditions, including checking engineering plans and any amendments	Actual staff time
	RAMM Collection (minimum of 2km carriageway)	\$918.00 per day
Technical costs	CCTV data uploaded to Reticulation Manager (minimum 100 metres)	Minimum \$245.00 plus \$2.45 per lineal metre
Cross lease	Amendments to flats plan	\$700.00

Type	Description	Fees & charges 2024/25 'F' are fixed charges, all others are deposits
Urgent signing fee for subdivision post approval processes	To sign any documentation within a 24 hour period <i>Note: This does not guarantee urgent signing will be possible, refer to notes below for further information.</i>	\$110.00
	Asset collection, ≤ 9 lots	\$2385.00
	Asset collection, ≥ 10 lots	\$4600.00
Other resource management activities		
Section 125/126	Applications for extensions of consent periods	\$955.00
Section 127	Change or cancellation of a condition/s of consent (non-notified only)	\$1790.00
Section 128 - 132	Review of consent conditions (non-notified only)	\$950.00
Section 134	Transfer of holder's interest in a consent	F \$220.00
Section 138	Application to surrender resource consent	\$735.00
Section 139	Application for certificate of compliance	\$2600.00
Section 139A	Existing use right determination	\$2600.00
Section 357	Objections pursuant to section 357(A) or (B) of RMA <i>Note: Not invoiced if objection upheld in full. A part charge may be made if the objection is upheld in part.</i>	\$560.00
National Environmental Standards	Confirmation of compliance with National Environmental Standards	Actual staff time
Other	Any application pursuant to the RMA not listed elsewhere	\$1775.00
Designations		
Public or Limited notified	Notice of Requirement for designation	\$12320.00
Non-notified	Notice of Requirement for designation	\$6490.00
Section 176	Application for outline plan	\$900.00
Section 176A(2)	Waiver of requirement for outline plan	\$200.00
Sections 177, 178	Request to the Requiring Authority responsible for an earlier designation Application to do anything which would prevent or hinder the public work or project	\$725.00
Section 180	Transfer of rights and responsibilities for designations	\$1230.00
Sections 181, 182	Requirement for alteration or removal/partial removal of a designation	\$1910.00

Type	Description	Fees & charges 2024/25 'F' are fixed charges, all others are deposits
Section 184/184A	Application to determine designation lapsing	\$3710.00
Heritage Orders		
Sections 189/189A, 196, 177	Requirement for Heritage Order Requirement for removal of Heritage Order Request to Requiring Authority responsible for the earlier heritage order	\$1760.00
Private Plan Change application to amend the District Plan		
1 st Schedule	Processing, considering and determining a private plan change application	\$65560.00
Compliance and monitoring		
General	Administration, review, correspondence	Actual staff time
Inspections (excluding engineering)	To monitor progress with giving effect to any resource consent, and compliance with consent conditions	\$170
Monitoring permitted activities (<i>National Environmental Standard for Freshwater 2020 - councils may charge for monitoring of permitted activities including land uses relating to farm activities, vegetation clearance and earthworks</i>).	Monitoring costs relating to permitted activities, if recovery of costs is authorised under any under National Environmental Standard, National Policy Statement, national direction, or other regulation	\$170
Engineering	For any inspection required	Actual staff time
Miscellaneous charges		
Legal instruments	Search for easement documents, covenants, encumbrances or any other document registered on Records of Title	Actual staff time + LINZ costs
Affixing Council's seal/ authorising document	For administration costs incurred in affixing Council's seal and/or signature to any document where a charge is not otherwise listed	\$185.00
Variation/cancellations	Variation or cancellation of any legal instrument not otherwise listed	\$520.00
Public notice	Costs associated with public notices	Actual staff time + advertisement fees
Signs	Affixing signs on site	\$40.00 per sign
Delegated approvals	Staff decision on application, acting under delegated authority	\$127.00
Bonds	Preparation, release and signing of any bond (excluding engineering)	\$350.00
	Preparation, release and signing of any bond - Engineering (roading and servicing works)	\$470.00

Type	Description	Fees & charges 2024/25 'F' are fixed charges, all others are deposits
	Partial Bond release	Actual staff time
Consultants	The applicant will reimburse Council for any fees paid by Council to any consultants.	Actual consultant costs + actual costs
Noise control	Application fee for the consideration of the return of equipment seized under RMA. Costs incurred in rendering noise source inoperable (e.g. removing vehicles, disabling alarms etc)	F \$175.00 Actual costs
Hearings		
Attendance – Council Staff or Consultant	A charge will be made for the costs of all staff and/or consultants required to attend a hearing	Actual staff/consultant time
Attendance – Commissioner / Regulatory Committee Members / Hearing Panel members	A charge will be made for the costs of all Commissioners, Committee or Hearing Panel members required to attend a hearing	Actual costs
Postponement/withdrawal or cancellation	If applicant fails to give a minimum of 5 working days written notice of a request for cancellation, withdrawal or postponement of a scheduled hearing	Actual costs
Venue	Hiring a venue for hearing	Actual costs
Request for information and supply of resource management documents		
Providing general advice	Providing advice and considering proposed applications <i>May include, but is not limited to: administration costs, research, meetings (including pre-lodgement), written correspondence.</i>	Actual staff time except for the first half hour of the first meeting, which will not be charged
Providing information	Any request to provide information in respect of the District Plan or any consent	Actual staff time
Providing copies	For the copying of information relating to consents and Council's resource management functions under Section 35 of the RMA, and the supply of any document	Actual staff time + photocopying charges
Waipā District Plan	Full printed copy of text	\$220.00
	Planning maps	\$165.00
Hazardous Activities and Industries List (HAIL) determinations		\$10.00
Investigation fee		\$160.00

Application for Public Benefit Remission of Resource Management Act Charges

Council is able to recover actual and reasonable charges under the Resource Management Act 1991. Resource Consent applicants occasionally seek a remission or reduction in resource consent fees on the basis of public benefit. Applicants also have the ability to formally object to additional resource management charges under section 357B of the Resource Management Act.

Applications for public benefit remission of resource consent fees and charges (other than formal objections to additional charges under s357B of the Resource Management Act) will be considered as follows. Applications which do not relate to a public benefit will not be considered.

- a. The application for public benefit remission must be in writing, and be submitted either on a form provided by council, or must include the following information:
 - a. Applicant's contact details
 - b. The legal Status of the applicant.
 - c. The amount of remission being sought (in full or in part).
 - d. The reasons for the remission.
- b. Applications which are in accordance with the requirements above will be assessed based on the following criteria:
 - a. Will the proposal result in a clear public benefit, whether entirely or in part?
 - b. If there is a clear public benefit, what apportionment of this could be reasonably applied to the proposal?
 - c. Is the applicant a charitable trust, incorporated community group, or otherwise delivering a public benefit?
 - d. Is there any impact on Council's budgeted operational costs of remitting all or part of the charge?
- c. The decision whether to accept an application for a remission in part, or in full, will be made under the relevant delegated authority.

Notes:

1. *These fees and charges become Operative on 1 July 2024 and will apply for all work carried out and decisions issued on or after 1 July 2024 irrespective of when the application was lodged with Council.*
2. *Where an "F" is noted in the charges column, this means the fee is a fixed rate, and no additional charges will be made for that activity. Where there is no such notation, the charge is a deposit only and actual staff time (plus mileage where relevant) incurred over and above the deposit will be charged.*
3. *The fixed charge ("F") for non-notified land use consents will only apply when there is no other matter of non-compliance with the District Plan, where other rules are breached, the full deposit will apply.*
4. *"Consultant" includes any Commissioners, consultants, advisers, solicitors and any other creditors related to any matter connected with a resource consent or certificate application.*
5. *Where "actual staff time" is noted, this:*
 - (a) Will include a charge for any mileage incurred as a result of any inspections required; and*
 - (b) Includes any consultant engaged by Council; and*
 - (c) For the avoidance of doubt, "actual costs" also includes "actual staff time".*
6. *Where legal fees are incurred by Council for the registration of any documents required due to any process, the actual legal costs will be charged in full (i.e. for registration of consent notices, bonds, easement cancellations etc.).*
7. *For the avoidance of doubt, any application which requires either limited or public notification, will be charged the limited or public notification fee, as applicable (regardless of the type of consent, or the section of the RMA the application is made under).*
8. *Urgent signing fee: When a request is made to sign documentation urgently for subdivision processes (post subdivision consent approval), an additional charge will be made. A request will be considered urgent if the return of the signed document is sought within a 24 hour period. Note: This does not guarantee documents will be able to be signed urgently. An Authorised Officer must be available to sign documentation and may not always be available. Please check with Council's Planning administration team prior to any request.*

Fixed charges

9. *The charges set out in the Schedule are charges which are fixed pursuant to Section 36 of the Resource Management Act 1991 (RMA).*
10. *All fixed charges are payable in full in advance. Pursuant to Section 36AAB(2) of the RMA, Council will not perform the action or commence processing the application to which the charge relates until it has been so paid.*
11. *Documentation or certificates will not be issued until payment of charges have been cleared.*

Additional charges

12. *Where a fixed charge is in any particular case inadequate to enable Council to recover its actual and reasonable costs in respect of the matter concerned, Council will require the applicant to pay a deposit, followed by an additional charge to cover actual and reasonable costs.*
13. *The following may also be included as additional charges:*
 - (a) *If it is necessary for the services of a consultant to be engaged by Council (including their attendance at any hearing or meeting) then the consultant's fees will be charged in full to the applicant as an additional charge;*
 - (b) *If any legal fees are incurred by Council in relation to legal advice obtained for any particular application, including any fees incurred if Council's solicitor is required to be present at any hearing, mediations or meetings, these fees will be charged in full to the applicant as an additional charge; and*
 - (c) *If any Commissioner hearing fees and associated costs are incurred in considering and determining any particular application, these fees will be charged in full to the applicant as an additional charge.*

Charge-out rates for Council officers and mileage

14. *Charge-out rates for Council officers are set out in this Schedule and:*
 - (a) *Are fixed charges;*
 - (b) *If reference is made in the schedule to actual staff time, it will be charged in accordance with the relevant hourly charge-out rates;*
 - (c) *The charge-out rates for Council officers and for mileage will apply to all matters listed in the Schedule so that:*
 - i. *if the fixed charge which has been paid in advance is greater by more than \$20.00 than the actual and reasonable costs incurred by Council relating to that application, a refund will be given when those costs are finally assessed; and*
 - ii. *if the actual and reasonable costs incurred by Council relating to that application are inadequate to enable Council to recover its actual and reasonable costs then additional charges calculated for staff time at the same rate will be payable (as well as any other items of additional charge which may have been incurred).*

Additional fixed fees

15. *At any time after the receipt of an application and before a decision has been made Council may fix a fee pursuant to Section 36(1) of the RMA which is in excess of the fixed charge set out in this schedule. In that event:*
 - (a) *Council may require that no further action will be taken in connection with the application until that fixed fee is paid in accordance with Section 36AAB(2) of the RMA; and*
 - (b) *May also, pursuant to Section 36(5) of the RMA make additional charges.*

Remission of fees

16. *Staff with delegated authority may consider a reduction in any charge, on application to the Council. Any remissions will be in accordance with Section 36AAB(1) of the RMA.*

Rural Address Property Identification System number plates

Description	Fees & charges 2024/25
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Application for new rapid number (includes plate)	\$92.00
Supply (only) number plate	\$22.00 per plate

Stock droving and crossings

Description	Fees & charges 2024/25
Application for permit	\$445.00
Re-inspection fee	\$231.00

Notes:

1. Permit for stock droving on a road must be in accordance with Waipā District Public Places Bylaw 2023.
2. Stock crossings are dedicated positions along a road where stock is moved from one side of the road reserve to the other.
3. All stock crossings must be installed in accordance with the Waipā District Public Places Bylaw 2023 and any other conditions set.

Stock impound fees

First impounding

Description	Fees & charges 2024/25	
	First animal	Per animal thereafter
Horses, cattle, mules, asses, deer and pigs	\$75.90 plus, transport costs	\$26.40
Sheep, goats and others	\$75.90 plus, transport costs	\$26.40
Subsequent impounding within the same financial year involving animals owned by the same person or organisation	Number of impoundings x relevant fee	
Additional after-hours fee (5pm to 8am, weekends and statutory holidays)	\$78.00	

Driving charges

Responding to complaints, driving stock from road to pound or owner's property or another place.

\$163.00 per hour per officer and mileage at \$0.95 per km local government rate for Animal Control Officer's/Ranger's time plus any other reasonable costs incurred.

Grazing per day

Description	Fees & charges 2024/25
Horses, cattle, mules, ass, deer and pigs	\$8.80
Sheep, goats and others (plus costs of any hard feeds, i.e. hay, grain)	\$2.20

All other costs incurred as the result of impoundment are payable by the owner on release of the animal/s. Such costs may include cartage, droving, advertising, feed, veterinary attention, etc.

Stormwater connections

Stormwater connection approval and inspection fee

Description	Fees & charges 2024/25
Domestic standard connection (100mm diameter)	
Stormwater application	\$418.00
Stormwater inspection	\$395.00
Manhole reconstruction	\$572.00

Notes:

1. All new stormwater connections require an application, investigation to ensure the existing system capacity, approval of a plan, confirmation of approval or otherwise, site inspection pre-back fill and recording of connection on Waipā District Council records.
2. The application fee is for processing the application and is non-refundable.
3. The inspection fee would be refundable if the application is unsuccessful.
4. An inspection fee of \$353.00 also applies to every subsequent inspection until the connection is accepted as complete.
5. The above fees may apply to each:
 - a) Dwelling; or
 - b) Separate building; or
 - c) Paved area in excess of 250m² (or part thereof) catchment area.
6. A single domestic connection fee will be accepted after an approved retention system is constructed. All other connections will be separately quoted.
7. All connections must be installed by a registered Drain Layer.

Structures on the road reserve

Description	Fees & charges 2024/25
Erect a structure on road reserve	
Application for permit to erect structure	\$731.00
Annual safety inspection of structure (per annum) if required as condition of permit.	\$445.00
Erection of temporary fence on road reserve for stock grazing	
Application for permit	\$445.00

Notes:

1. The above fees apply for applications to construct private structures located on or under roads on the Waipā District Rooding Network. Examples could include Private bus shelters; Stock underpasses; Fence encroachments; Property access ramps or stairs.
2. Application must be made, and consent gained from Waipā District Council to ensure the structure is safe, not a hazard to travelling public, is durable and has a nominated owner responsible for maintenance and removal when no longer required.
3. Application for permit includes an initial inspection. If the structure is erected for less than twelve months as per its permit, no annual safety inspection fee will apply. If a building consent is required for the structure, then a separate building consent fee will also apply.

Exclusions:

4. Standard rural mailboxes and shop veranda required by the District Plan do not require a permit.

Stock underpass

Description	Fees & charges 2024/25
Application for stock underpass.	Actual staff time will be charged but with a minimum of \$1050.00
Non-compliance	al staff time + mileage

Note:

1. Stock underpass is a dedicated permanent structure for the passage of stock under a road. All stock underpasses must have a lease agreement or licence to occupy with Waipā District Council

Te Awamutu council room charges

Description	Fees & charges 2024/25	
	Profitable Organisation / Private Function	Non-Profit Organisation
Bond (payable when booking is outside business hours)	\$280.00	\$110.00
Removal/reinstatement of furniture by Council staff (optional)	\$110.00	\$110.00
Half day or less		
Whole facility	\$151.00	\$72.00
Council Chamber	\$66.00	\$44.00
Committee rooms (per room)	\$44.00	\$27.00
Kitchen	\$27.00	\$11.00
Full day – 8.00am to 5.00pm		
Whole facility	\$291.00	\$134.00
Council Chamber	\$123.00	\$78.00
Committee rooms (per room)	\$78.00	\$44.00
Kitchen	\$55.00	\$22.00

Description	Fees & charges 2024/25	
	Profitable Organisation / Private Function	Non-Profit Organisation
Night – 5.00pm onwards		
Whole facility	\$151.00	\$72.00
Council Chamber	\$66.00	\$44.00
Committee rooms (per room)	\$44.00	\$27.00
Kitchen	\$27.00	\$11.00
Day and night – 5.00pm onwards		
Whole facility	\$414.00	\$179.00
Council Chamber	\$242.00	\$101.00
Committee rooms (per room)	\$106.00	\$55.00
Kitchen	\$112.00	\$38.00
Weekend – Friday 5.00pm to Sunday 10.00pm		
Whole facility	\$707.00	\$370.00
Council Chamber	\$528.00	\$270.00
Committee rooms (per room)	\$151.00	\$83.00
Kitchen	\$230.00	\$83.00
The bond is refundable – items covered by the bond are key, breakage of equipment, damage to facility and/or theft of equipment or extraction clean.		
Deduction as follows		
Key (replacement or lost)		\$29.00
Security access token (replacement or lost)		\$55.00
Furniture damage	Whole bond (minimum) or cost	
Extraction carpet clean		\$176.00
Damage to facility	Whole bond (minimum) or cost	
Call out fee for insecure building		\$187.00
Cleaning and re-stock of toilet consumables fee (for bookings longer than 1 consecutive day)		\$55.00

Town Hall hire – Kihikihi and Pirongia

Town Hall Hire – Kihikihi and Pirongia	Fees & charges 2024/25	
	Corporate or Private Function	Community Group Use
Bond payable on booking	\$220.00	\$110.00
Deposit payable on booking	25%	25%
<i>Community Group bookings longer than 3 consecutive days will receive a 25% discount</i>		

Town Hall Hire – Kihikihi and Pirongia	Fees & charges 2024/25	
	Corporate or Private Function	Community Group Use
Kihikihi Town Hall – Whole complex		
Half day hire (4 hour use)	\$55.00	\$22.00
Full day hire (maximum 12 hour use)	\$145.00	\$71.00
Pirongia Hall – Whole complex		
Half day hire (4 hour use)	\$55.00	\$22.00
Full day hire (maximum 12 hour use)	\$145.00	\$71.00

Notes:

1. Facility users are required to complete a hire contract prior to using the facility.
2. Community use charges apply to not for profit organisations that are based and operate within the Waipā District providing a benefit for the Waipā Community.

Trade waste

Administration Charges	Fees & charges 2024/25
Application fees	
Application fee – Permitted/controlled discharge (including final inspection)	\$257.00
Application fee – Conditional consent (covering 4 hours work including final inspection, including tanker disposal)	\$479.00
Hourly rate for applications	\$135.00
Temporary discharge (including final inspection)	\$257.00
Renewal fee for controlled, permitted or conditional trade waste consents (plus additional hourly rate for more than 1 hour of time noting that site inspection charges may also apply)	\$127.00
Variation/Change of Details Request for permitted or conditional consents (plus additional hourly rate for more than 30 minute time noting that site inspection charges may also apply).	\$68.00
Special Trade Waste agreements, variations or renewals. Actual costs recovered including but not limited to consultant or legal fees	Actual cost
Site inspection fees	
Permitted/Controlled Discharge – Site Inspection/audit (per site visit)	\$182.00
Conditional Consent – Site Inspection (per site visit)	\$290.00
Temporary Discharge – Inspection / audit (per site visit)	\$290.00
Site Inspection / audit -non-compliance (per site visit)	\$290.00
Annual charge	
Permitted/Controlled/Special/discharge	\$68.00
Conditional/Special/discharge- Risk Class 3	\$2027.00
Conditional/Special/discharge - Risk Class 2	\$1155.00

Administration Charges	Fees & charges 2024/25
Any temporary discharge	\$257.00
Independent Monitoring (per sample collected)	\$277.00
Tankered discharge	\$885.00
Tankered Waste Disposal	
Tankered waste disposal to Wastewater Treatment Plant or reticulation in accordance with Trade Waste Bylaw \$/m ³	\$90.00

Notes:

1. Tankered waste may not be accepted at the Waters Manager's sole discretion.
2. Tankered waste disposal to Wastewater Treatment Plant or reticulation not in accordance with Trade Waste Bylaw will require a conditional or special agreement in accordance with the Trade Waste Bylaw.

Charging formula

The formula for calculation of the load based trade waste charge is as set out below.

$$(V \times V_c) + (SS \times SS_c) + (BOD \times BOD_c) + (TKN \times TKN_c) + (TP \times TP_c)$$

Parameter	Fees & charges 2024/25
V _c Flow Volume	\$1.57/M ³
SS _c Suspended solids	\$1.35/kgSS
BOD _c Organic Loading	\$1.50/BOD
TKN _c Total Kjeldahl Nitrogen	\$1.57/kgTKN
TP _c Total Phosphorus	\$6.40/kgTP
Connection or disconnection fee	\$552.00

Table of parameters with descriptions			
V	The volume discharged	BOD _c	The unit BOD Charge \$/kg
V _c	The unit volume charge \$/ M ³	TKN	The mass of Total Kjeldahl Nitrogen (TKN) discharged
SS	The mass of suspended solids discharged	TKN _c	The unit TKN charge \$/kg
SS _c	The unit SS charge \$/kg	TP	The mass of Total Phosphorus (TP) discharged
BOD	The mass of BOD discharged	TP _c	The unit TP charge \$/kg

Traffic Management Plan (TMP) reviews

Description	Fees & charges 2024/25
Approval of simple TMP for Vehicle Crossings	\$215.00

Description	Fees & charges 2024/25
Approval of complex TMP	\$215.00 per hour (excludes travel allowances)
Actions required to address non-compliance with TMP conditions	\$215.00 per hour (excludes travel allowances)
Non-compliance for not having a TMP or an approved TMP	\$468.00
Extension of TMP application	\$105.00
Issue of Stop Work Order	\$148.00
Late Completion of Works or failure to return sites to pre-existing conditions as per the utilities code.	\$445.00

Notes:

1. *TMP require evaluation and approval by the Council Traffic Management Coordinator to ensure public safety, the costs of which are charged to the applicant.*

Utility access requirements

Description	Fees & charges 2024/25
Single Occurrence Permit	
Isolated street opening permit application (plus the applicable trenching fee and Traffic Management Plan fee)	\$195.00
Multiple occurrence permit for utility maintenance works	
Multiple opening permit application covering a 12 month period (One off set up fee then occurrence fee plus the applicable trenching fee)	\$385.00 + \$66.00 for each occurrence
Excavation, trenching or drilling	
1 – 99m (This is the minimum fee in conjunction with the permit fee)	\$105.00
100 – 499m	\$187.00
> 500m	\$314.00
Non-compliance with conditions	\$215.00
Additional inspections required for complex projects, changes to project extents and conditions, or as required to address non-compliance with conditions.	\$215.00 per hour (includes travel allowances)
Extension of Work Access Permit (WAP) application	\$105.00
Issue of Stop Work Order	\$148.00
Late Completion of Works or failure to sign off completed works as per WAP.	\$445.00

Notes:

1. *For all work to be undertaken on road reserve (including within footpaths, berms and carriageways) a Corridor Access Request (CAR) is required. The CAR allows Council to approve, track and ensure proper reinstatement to works undertaken in the street.*

2. *The Utilities Access Act 2010 provides for applications for permission to excavate in streets and roads for services such as electricity, three waters, gas, telecoms etc.*
3. *Under certain circumstances Waipā District Council will accept 12 month access opportunities under our multiple occurrence coverage formats. This is for maintenance works only not new projects.*
4. *All access requests may be inspected by Council staff or agents at any time for compliance with permit conditions*
5. *Trenching costs are in addition to the Permit application fee and reflect the work involved in doing completion and maintenance inspections based on length of work sites.*

Vehicle crossing applications

Description	Fees & charges 2024/25
Vehicle – Application fee – Urban and Rural	\$480.00
Re-inspection fee	\$220.00
Mileage if site visit required	\$0.95 per km

Notes:

1. *A Traffic Management Plan and/or Corridor Access Request is required for a vehicle crossing application to be processed.*
2. *Entrance ways can only be installed with the permission of Council.*

Wastewater connections

Description	Fees & charges 2024/25
<i>Domestic standard gravity connection (100mm diameter)</i>	
Wastewater connection application and approval	\$430.00
Wastewater inspection	\$395.00

Notes:

1. *All new wastewater connections require an application, investigation to ensure the existing system capacity, approval of a plan, confirmation of approval or otherwise, site inspection pre-back fill and recording of connection on Waipā District Council records.*
2. *The application fee is for processing the application and is non-refundable.*
3. *The inspection fee would be refundable if the application is not approved.*
4. *An inspection fee of \$360.00 also applies to every subsequent inspection until the connection is accepted as complete.*
5. *All connections must be installed by a registered drain layer, inspected by the Assets Team and As-Builts provided to the Asset Team.*

Water connections and bulk water sales

Description	Fees & charges 2024/25
Water connection application fee	
Urban	\$517.00
Rural	\$951.00

Description	Fees & charges 2024/25
	Ordinary supply – install new standard single 20mm diameter residential connection, up to 4 metres from a Council owned reticulated main (excluding bulk mains). All other connections will require a fixed quote from Waipā District Council).
Urban	\$1793.00
Rural	\$2352.00
Restrictor adjustment	\$407.00
Meter and/or restrictor testing fee (if tests show compliance, then applicant shall be liable for fee. If out of adjustment no fee shall apply)	\$451.00
Final water meter reading	
Conduct and process final reading	\$65.00
Disconnection fees	
Disconnection from rural water supply scheme	\$891.00
Disconnection from water supply upon removal or demolition of a building	\$891.00

Note:

1. Statutory public health requirements prevent anyone other than authorised Council employees or authorised contractors from carrying out any work on water reticulation services.

Purchase of water by permit

Description	Fees & charges 2024/25
Administration fee	\$27.50/month
Water per cubic metre (1000 litres)	\$3.41/cu metre

Notes:

1. A permit must be obtained before removing water from a Council system. A permit is to be obtained for each 12-month period that water is drawn from a designated bulk fill point.
2. Rural water supply, where the service is available at the gate, may be restricted in area or flow. All other connection sizes and/or configurations will require quotation from Waipā District Council.

Backflow Prevention Devices

Description	Fees & charges 2024/25
Connection, disconnection and replacement of backflow prevention devices	Staff time and actual and reasonable costs
Administration fee	\$410.00

COMMITTEE REPORT



INFORMATION ONLY

To: The Chairperson and Members of the Strategic Planning and Policy Committee

From: Senior Strategic Policy Advisor

Subject: **2025-34 Long Term Plan Project Update**

Meeting Date: 06 August 2024

1 EXECUTIVE SUMMARY – WHAKARĀPOPOTOTANGA MATUA

This report provides Elected Members with an update on how the 2025-34 Long Term Plan (LTP) project is progressing. The groups of activities structure was approved at the June 2024 Strategic Planning and Policy Committee as well as approval to retain the current Significance and Engagement Policy and 2024-34 LTP Strategic Framework. Staff are currently focusing on budgeting and the review of the Financial Strategy.

2 RECOMMENDATION – TŪTOHU Ā-KAIMAHI

That the Strategic Planning and Policy Committee receives the report of Anthea Sayer, Senior Strategic Policy Advisor, titled '2025-34 Long Term Plan Project Update,' (document number 11263433).

3 COMMENTARY - KŌRERO

The LTP is a complex project comprising many different processes and content requirements. The table below outlines the workstreams that make up the LTP and notes progress made as well as what's coming up. This update will be provided at every Strategic Planning and Policy Committee meeting until the LTP is adopted in June 2025.

Key Building Blocks		Update	Status
1	Strategic framework	Elected Members agreed to retain the Strategic Framework from the 2024-34 LTP at the June 2024 Strategic Planning and Policy Committee.	Completed
2	Group of activities structure	The group of activities structure was approved at the June 2024 Strategic Planning and Policy Committee.	Completed

Key Building Blocks		Update	Status
3	Significant forecasting assumptions	Amendments to non-financial assumptions were considered at a workshop on 24 June. Only minor changes were requested. Assumptions, including financial, will be reviewed in August once information is released from Infometrics and Bancorp.	On track
4	Significance and Engagement Policy	Elected Members agreed to retain the current policy at the June 2024 Strategic Planning and Policy Committee with a view to undertaking a full review for the 2027-37 LTP.	Completed
5	Budgeting process	The budgeting process has taken place with a first version of the budget due to be presented at a workshop on 5 August. The status of this deliverable is set at 'monitor' due to the financial challenges Council is facing.	Monitor
6	Financial and funding policies	These policies include the Revenue and Financing Policy, Rates Remission Policy and Treasury Management Policy. The policies were largely complete at the end of the 2024-34 LTP process however a few minor changes will need to be made. A workshop on these policies will take place in October.	On track
7	Financial Strategy	Work is well underway on developing a new Financial Strategy for the 2025-34 LTP. A workshop is scheduled for 5 August to discuss the draft strategy. The status of this deliverable is set at 'monitor' due to the financial challenges Council is facing.	Monitor
8	Infrastructure Strategy	The Infrastructure Strategy was largely completed as part of the 2024-34 LTP and will only need minor changes. A workshop on the draft strategy is scheduled for early October.	On track
9	Development Contributions Policy	This policy was largely completed as part of the 2024-34 LTP. The draft policy will be workshopped with Elected Members on 5 August.	On track
10	Activity management planning	Activity management plans were largely completed as part of the 2024-34 LTP. Audit is currently reviewing them as part of the LTP process.	On track
11	Consultation and engagement	An introduction to the LTP paper was presented to the Waikato-Tainui Joint Management Agreement meeting on 23 July 2024. Further updates will be provided at each meeting.	On track

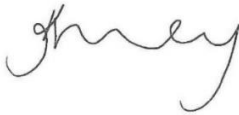
Key Building Blocks		Update	Status
		Regular reporting to the Te Awamutu/Kihikihi and Cambridge community boards and the Pirongia Ward Committee is also underway.	



Prepared by Anthea Sayer
SENIOR STRATEGIC POLICY ADVISOR



Reviewed by Melissa Russo
MANAGER STRATEGY



Approved by Kirsty Downey
GROUP MANAGER STRATEGY

COMMITTEE REPORT



INFORMATION ONLY

To: The Chairperson and Members of the Strategic Planning and Policy Committee

From: Group Manager District Growth and Regulatory Services

Subject: **District Growth Quarterly Report – 1 April to 30 June 2024**

Meeting Date: 6 August 2024

1 EXECUTIVE SUMMARY – WHAKARĀPOPOTOTANGA MATUA

The purpose of this report is to provide the Committee with a quarterly update on matters relating to growth in the Waipā District. This includes matters arising at national, regional, sub-regional and district levels. This report is provided for information purposes and does not require any decision making on the part of elected members. Please note that matters pertaining to capital projects and their associated risks will be separately reported to Council's Service Delivery and Audit & Risk committees, respectively.

2 RECOMMENDATION – TŪTOHU Ā-KAIMAHI

That the Strategic Planning and Policy Committee receives the report of Wayne Allan, Group Manager District Growth and Regulatory Services titled District Growth Quarterly Report 1 April to 30 June 2024 [ECM Number 11262722].

3 COMMENTARY - KŌRERO

3.1 NATIONAL & REGIONAL LEGISLATION, REGULATIONS, PLANNING AND POLICY

SUBMISSIONS

During this quarter, the Council lodged two submissions. These are listed in the table below:

Organisation	Submission	Document Number	Submission Date	Author
Waikato Regional Council	Waikato Regional Council Long Term Plan 2024 - 2034	11211833	02/05/2024	David Totman

Organisation	Submission	Document Number	Submission Date	Author
Fire and Emergency New Zealand	Consultation document on setting the 2026-2029 Levy	11226957	17/05/2024	David Totman

Copies of these two submissions are attached in Appendices 7 and 8 to this report.

A submission is being drafted in response to the Government’s “Making it easier to build granny flats” discussion document.

RESOURCE MANAGEMENT REFORMS

On 4 July Government announced its ‘Going for Housing Growth’ programme to tackle the country’s housing crisis. This programme is centred on three main pillars. These are:

1. Freeing up land for urban development, including removing unnecessary planning barriers.
2. Improving infrastructure funding and financing to support urban growth.
3. Providing incentives for communities and councils to support growth.

The early July announcement only focussed on the first pillar. Announcements on the second and third pillars were said to follow later in 2024 and early 2025. Together, these three pillars have an objective of improving housing affordability by significantly increasing the supply of developable land for housing, both inside and at the edge of our urban areas.

The pillar one proposals include:

- The establishment of Housing Growth Targets for Tier 1 and 2 councils. These councils will be required to “live zone” feasible development capacity to provide for at least 30 years of housing demand at any one time. It is noted that Waipā District Council is a Tier 1 council.
- Making the Medium Density Residential Standards (MDRS) optional for councils (once they have shown how they will meet their Housing Growth Target).
- Making it easier to build both inside and at the edges of New Zealand’s cities. This is proposed to include banning rural-urban boundary lines in council plans to make it easier for new housing to be built on ‘greenfields’ land. Councils can still have rural zoning, but they will not be able to set hard regulatory lines that constrain growth.
- Strengthening intensification provisions in the National Policy Statement on Urban Development (NPS-UD). Urban councils will need to intensify housing along strategic transport corridors. It is also proposed to clarify the rules around unlisted “qualifying matters” which allow councils to avoid enabling intensification.
- New requirements for Tier 1 and 2 councils to enable mixed-use development in urban areas.
- The abolition of minimum floor area and balcony requirements for apartments and other houses.

There will be public consultation on this work in the future. If these proposals go through, they will be part of amendments to the NPS-UD and RMA as part of Phase Two of the Government's resource management reform programme.

Further announcements are expected to be made later in 2024 and in the first half of 2025 on pillars two and three of the Going for Housing Growth plan.

The Ministry of Housing and Urban Development and Ministry for the Environment have published an article and three factsheets relating to the proposals (refer to Appendices 9, 10, 11, 12).

3.2 SUB-REGIONAL STRATEGIC PLANNING INITIATIVES

FUTURE PROOF

At its meeting on 7 June 2024, the Future Proof Implementation Committee (FPIC) accepted all the recommendations of the Hearings Subcommittee and endorsed the updated 2024 Future Proof Strategy. The Committee resolved to recommend the adoption of the updated Future Proof Strategy by the partner councils.

The Future Proof Strategy has been updated to comply with the legislative requirements of the National Policy Statement on Urban Development (NPS-UD) particularly the inclusion of a Future Development Strategy (FDS) and to incorporate Matamata-Piako District now that they are a partner council.

A report is being brought to the 6 August meeting of the Strategic Planning and Policy Committee recommending that the committee receives and adopts the updated 2024 Future Proof Strategy.

3.3 DISTRICT LEVEL STRATEGIC PLANNING

AHU AKE

This project is reported to the Committee separately and as required.

DISTRICT PLAN

PLAN CHANGES

Proposed Plan Change 14 – Hautapu Industrial Zones (C10 Growth Cell)

Plan Change 14 was adopted by Council and publicly notified on 20 June 2024. The closing date for receipt of submissions was 19 July 2024. 15 submissions, both in support and opposition have been received. The next step in the process is to notify a summary of submissions received and call for further submissions.

Private Plan Change 20 – Airport Northern Precinct Extension (PPC20)

Private Plan Change 20 became operative on 01 July 2024 and now forms part of the operative Waipā District Plan.

The appeal on this plan change decision was successfully mediated with the bat habitat provisions being altered.

Draft Plan Change 21 – Housing General Review

Because of the speed and scope of Government direction it has been decided that Plan Change 21 (PC21) will not proceed as a separate plan change. Instead, the topics within PC21 will be rationalised and will form part of the future plan change programme including District Plan review.

Draft Plan Change 23 – Papakāinga

The District Plan Team are working on completing the Section 32 report for this plan change. This work is necessary to refine the final form of the rule set. James Whetu, Consultant Planner, has completed the second consultation round with iwi. The Section 32 report and final set of draft provisions is to be provided to JMA partners in August.

The Government, as part of its Granny Flat announcement, has identified that it is preparing national guidance on papakāinga. The form and direction of this national guidance has not been released and is expected sometime early / mid 2025.

Draft Plan Change 24 – Housing Affordability

Because of the speed and scope of Government direction it has been decided that Draft Plan Change 24 (PC24) will not proceed as a separate plan change. Instead, the topics within PC24 will be central to the future plan change / review programme.

Draft Plan Change 25 – Crop Protection Structures and Shelterbelts

Council has resolved to remove this topic from PC30 and progress it as a separate plan change. This is because of intense interest and lobbying from landowner and industry groups and recent Environment Court proceedings (neighbour appeal on kiwifruit farm at Parallel Road).

The draft provisions have been prepared and will be workshopped at SP&P Committee, 6 August 2024, before being released to stakeholders for their initial comment.

Proposed Plan Change 26 – Residential Zone Intensification

The Minister has replied to our request to extend the timeframe for making a decision the Independent Hearings Panel recommendations for Plan Change 26 (PC26). Council must make and publicly notify decisions on PC26 on or before 30 August 2024.

A workshop with Elected Members on the IHP recommendations will be held on 06 August 2024. Decisions on whether the IHP recommendations are rejected or accepted will be made at an extraordinary Council meeting to be held on 19 August 2024. Rejected recommendations will be sent to the Minister for the Environment to make their decision.

Draft Private Plan Change 28 – Rezoning of land in Leamington – Cambridge (C5 – Growth Cell)

We are still awaiting the receipt of a modified application in response to further information requests and meetings held with the applicant's agents. This plan change is also dependent on the establishment of the Medium Density Residential Zone through PC26. The current position is that the plan change will be recommended to be accepted for notification once staff are happy all required information has been received. There is increasing public interest with this plan change and one LGOIMA request in relation to it has been received.

Draft Private Plan Change 29 – Rezoning of land at 2025 Ōhaupō Road

This plan change has been accepted for processing but has been put on hold at the applicants request until a decision on Proposed Plan Change 26 has been released.

Draft Plan Change 30 – Minor Technical Amendments

Because of the speed and scope of Government direction it has been decided that Plan Change 30 (PC30) will not proceed as a separate plan change. Instead, the topics within PC30 will be rationalised and will form part of the future plan change programme.

The Crop Protection and Shelterbelt topic has been removed from PC30 and will progress as a separate plan change (Plan Change 25)

Draft Private Plan Change 31 – Rezoning of land Te Awamutu (T4 – Growth Cell)

This application remains on hold pending the receipt of a modified application in response to further information requests and meetings held with the applicants' agents.

Table 1: Plan Changes Synopsis and Status

PLAN CHANGES	STATUS	NOTIFICATION (INDICATIVE)	HEARINGS
Proposed Plan Change 14 Hautapu C10 rezoning	Scope: Rezone part of C10 growth cell from Rural to Industrial Status: Submissions Closed	20 June 2024	Late 2024
Draft Plan Change 21 Housing General review	Scope: To be reviewed Status: on hold pending confirmation of District Plan Review programme	To be determined	To be determined
Draft Plan Change 23 Papakāinga	Scope: Enables Papakāinga housing in the District Plan. Status: Draft Provisions have been prepared, 2 nd round iwi consultation completed.	October 2024	To be determined
Draft Plan Change 24 Housing Affordability	Scope: Provisions to address affordable housing. Status: on hold pending confirmation of District Plan Review programme	To be determined	To be determined
Draft Plan Change 25 Crop Protection	Scope: Provisions to address issues associate with crop	October 2024	To be determined

PLAN CHANGES	STATUS	NOTIFICATION (INDICATIVE)	HEARINGS
Structures and Shelterbelts	protection structures and shelterbelts. Status: Provisions prepared and to be presented		
Proposed Plan Change 26 Residential Zone Intensification	Scope: Introduces mandatory medium density residential standards; reviews financial contributions; and any consequential amendments. Status: Decisions on IHP recommendations to be made and notified by 30 August 2024	Completed	Completed
Draft Private Plan Change 28 Rezone C5 Growth Cell and adjoining land from Deferred Residential / Rural to residential / medium density residential	Status: Application Lodged / Further Information Request Issues	August 2024	To be determined
Draft Private Plan Change 29 Rezone 2025 Ōhaupō Rd from Rural to residential	Scope: Proposal is to rezone greenfields (non-growth cell) at 2025 Ōhaupō Rd from Rural to Residential. Status: ON HOLD at the request of the applicant, pending a decision being issued on Plan Change 26.	To be determined	To be determined
Draft Plan Change 30 Minor amendments	Scope: To be reviewed Status: on hold pending confirmation of District Plan Review programme	To be determined	To be determined
Draft Private Plan Change 31 Rezone T4 Growth Cell from Deferred Residential to Medium Density Residential Zone	Status: Application Lodged / Further Information Request Issues	To be determined	To be determined

RESOURCE CONSENTS

NOTIFIED CONSENTS

An application to build a waste to energy plant at 401 Racecourse Road, Te Awamutu was publicly notified with the submission period closed on Friday, 13 October 2023. 872 submissions were received, with 8 in support, 3 being neutral and the remainder in opposition. In a letter dated 15 December 2023, Waikato Regional Council wrote to the Minister for the Environment, Rt. Hon. Penny Simmonds requesting the minister to call-in the application. A call-in process would mean the application would be considered by the Environment Court or a Board of Enquiry. Subsequently, Waipā District Council requested the Minister to call-in the respective Waipā consent on 7 February 2024. The Environmental Protection Authority (EPA) has been requested to provide their advice to

the Minister on this call-in and have sought further information from Council on 19 March 2024, with Council responding on 5 April 2024. The EPA has now provided their advice to the Minister. The key point of that advice is the EPA agree with the Council's that the proposal has matters which are nationally significant and that the proposal should be called in for decision making. No recommendation was included about whether this is a Board of Inquiry or Environment Court decision making panel. The EPA was then pressed on this point, by the Minister, and returned with the recommendation to use the Board of Inquiry process. The final decision on the call in is yet to be released by the Minister as it needed to be taken to Cabinet. If the proposal is called in, then the application will require re-notification with a new submission process to be undertaken. To confirm, a decision by the Minister is yet to be received.

RECENTLY HEARD APPLICATIONS

No hearings were held.

ENVIRONMENT COURT APPEALS

Mediation occurred on 1 November 2023 in relation to an Environment Court appeal by N & V Jennings. The appeal relates to a decision granting resource consent to establish artificial structures and shelterbelt planting for a kiwifruit orchard at 582 Parallel Road, Cambridge. Mediation did not result in a resolution, but subsequent discussions between the appellant and the consent holder have resolved the appeal with final consent order wording being drafted reflecting agreed amendments to the conditions of consent.

CONSENTS SUMMARY

This reporting period showed an increase in resource consent numbers compared to the previous period with 119 consents processed this quarter (66 for Land Use and 53 for Subdivision) and 77 consents processed (43 for Land Use and 34 for Subdivision) the previous quarter. All consents this period have been processed within the allowable statutory timeframe.

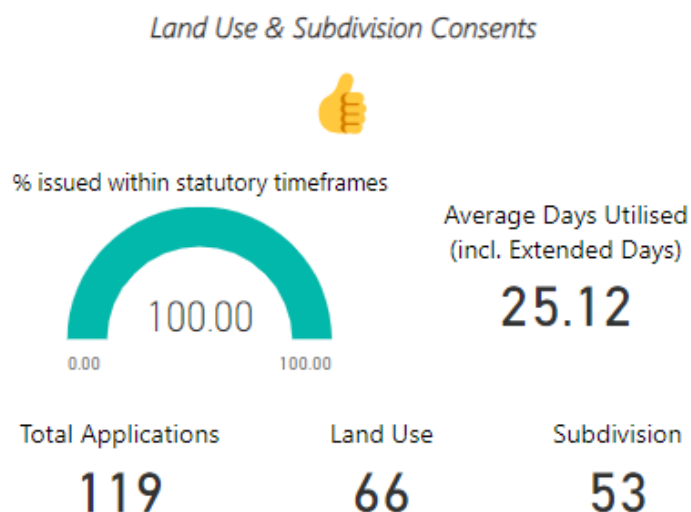


Figure 1: All Resource Consent Applications

13 Deemed Permitted Boundary Activities (Notices) were processed within the quarter compared to 15 processed the previous quarter. There was 1 Deemed Marginal/Temporary Application processed this quarter that was processed within statutory timeframe (refer to figure 2 below).

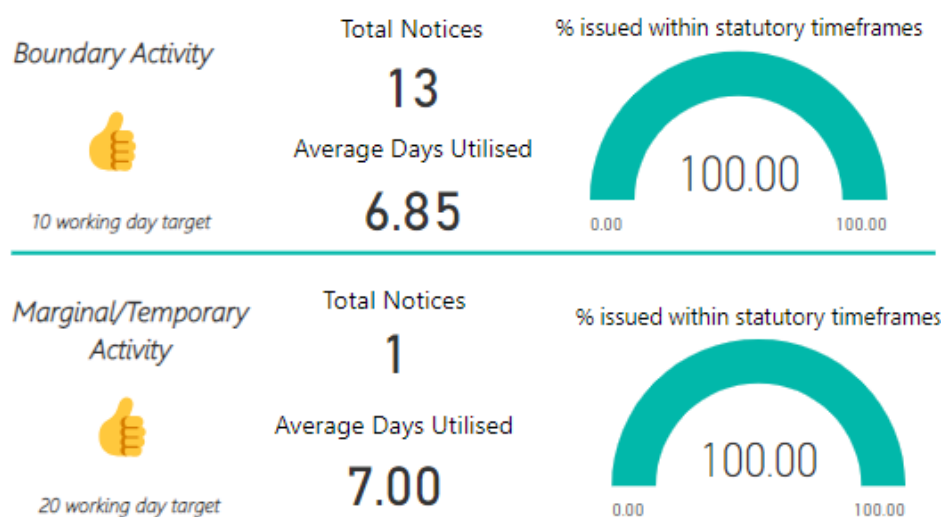


Figure 2: Deemed Permitted Boundary and Marginal/Temporary Activities

LAND INFORMATION MEMORANDUMS (LIMS)

LIM volumes have increased with 284 LIMs processed this quarter compared with 276 processed the previous quarter. All LIMs were processed within the required timeframes (refer to figure 3 below).

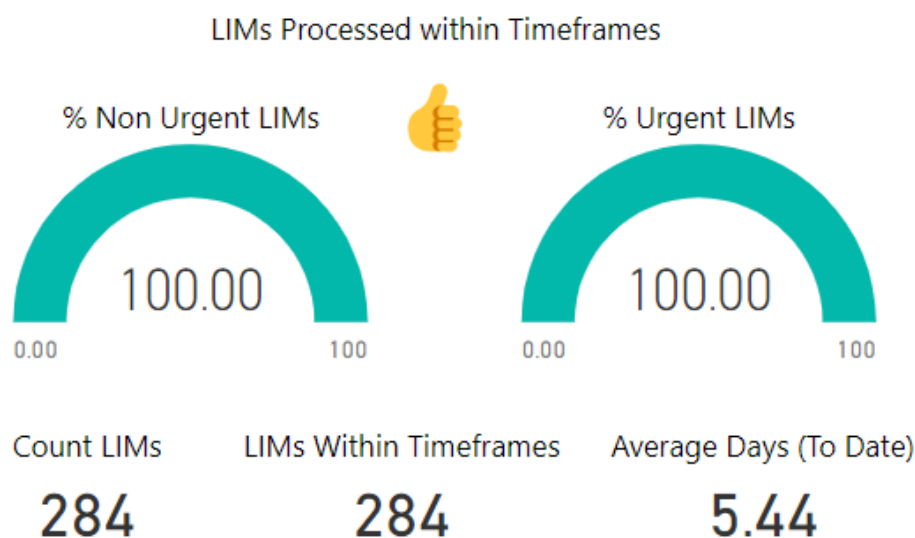


Figure 3: LIMs processed with timeframes

REGULATORY DEVELOPMENT

APPLICATION SUMMARY

There continues to be steady progress in land development projects across the growth cells, interest by way of pre-application meetings also continues (*Refer to Growth Cell Maps in Appendix 1*).

CAMBRIDGE

C1 Growth Cell: A developer was granted consent for the northernmost part of this growth cell and construction of the first stage has been completed, earthworks and drainage is currently underway on the subsequent stage.

C2 Growth Cell: Development is continuing in a few different areas of the growth cell with residents have moving into the Rymans retirement village and subdivision consented area. A variation to the consent is expected to be submitted in mid-August in alignment with the Development Agreement variation staging, which will enable Road 20 and 14 of latter stage development to occur in alignment with the neighbourhood reserve construction. An additional 87 lot residential subdivision at the northern end of Kelly Road has been approved and civil construction is underway, this may also extend the Don Gerrard Drive construction.

C3 Growth Cell: Earthworks in preparation for subdivision are well underway in accordance with a land use consent for earthworks in the west of the growth cell by St Peters School / 3Ms JV. Te Awa Lifecare are currently developing their property with construction ongoing.

C4 Growth Cell: Civil construction is progressing on the Sanderson development, smaller subdivisions on Silverwood Lane have also been submitted and approved.

C5 Growth Cell: A Private Plan Change has been lodged (PPC28), this is currently being processed by staff.

C8 & C9 Industrial Growth Cells: Work continues on the development of this area with minor subdivisions recently including unit title subdivisions.

Cambridge North: The Summerset retirement village is under construction with residents starting to move in.

TE AWAMUTU & KIHIKIHI

T1 Growth Cell: The developer is preparing to progress the next stage. The developer has installed a watermain through to Frontier Road and has advised Council that the intention is to develop one stage a year, for the next five years, subject to market conditions.

T2 Growth Cell: The subdivision has been completed in the south, this has created one super lot that is intended to be developed for compact housing, further information on this proposal has been recently received.

T3 Growth Cell: Earthworks in preparation for a subdivision are underway in accordance with a land use consent in the east of the growth cell. A subdivision application is being prepared currently by the developer.

T4 Growth Cell: A Private Plan Change has been lodged (PPC31), this is currently being processed by staff.

T6 Growth Cell: Pre-application meetings and a couple of relatively small subdivision applications have been received.

T11 Growth Cell: Resource consent for a subdivision (76 lots) has been granted. The initial stage is being constructed while the wastewater pump station is simultaneously constructed.

T12 Growth Cell: Pre-application received for the residential development of this entire growth cell, written feedback on their proposal is being provided at this time by Council staff.

T15 Growth Cell: A large lot residential subdivision consent has been granted and the initial stage has been completed.

KARĀPIRO

An application for subdivision in the K1 growth cell has been received and is being assessed by Council staff.

OHAUPO & PIRONGIA

No notable development currently underway.

NGĀHINAPŌURI

N1: Construction continues in this growth cell.

N3: A private plan change is being prepared and expected to be lodged soon.

AIRPORT AREA

The airport area continues to be developed including unit title subdivisions. The western precinct is almost fully developed. Potential for an initial single development within the new northern precinct.

DEVELOPMENT CONTRIBUTIONS

A total of 63 Development Contribution Notices equating to \$6,602,932 (incl. GST) have been issued. Of those notices generated, there were 16 from Building consents, 11 from Land Use consents and 36 from Subdivisions.

For the 23/24 financial year end, Council staff requested a total of \$30,727,317 (incl. GST) from developers. Compared to last year, this is an increase total amount charged

of \$10,429,895 (Previous amount issued for 22/23 FY – \$20,297,422). Overall, \$69.3 million (incl. GST) is outstanding in development contributions. This indicates an upward trend where Council has invested to enable development.

Recovery this quarter is approximately \$4,099,517 (incl. GST) (refer to figures 4, 5 6 and 7 for location of recovery and Appendix 1 – Growth Cell Maps for the location of the cells referenced). Of the amount recovered, the majority was in Cambridge C2 and C3 growth cells and Te Awamutu and T2 funding areas. This is reflective of timing of payments required under specific development agreements and signed off consents. For comparison, last year's Quarter 4 recovered \$5,291,977 (incl. GST) which reflects the last quarters stronger on average recovery, given the construction works and 224 lodgements being completed. For the 23/24 financial year end, recovery equated to \$9,509,657 (incl. GST), up \$768,449 (incl. GST) from the previous financial year (previous amount recovered for 22/23 FY = \$8,741,208 (incl. GST)). Much like the increase in DC notices issued, the increase in revenue outlined above over the previous year would indicate an upward trend where Council has invested to enable the development.

The Development Contribution rates for 2024 are now operative, effective 1 July 2024. Council staff are now reviewing the Development Contribution Policy as part of the LTP process. A legal review is currently underway. A draft amended Development Contribution Policy will be presented to elected members in August / September 2024.

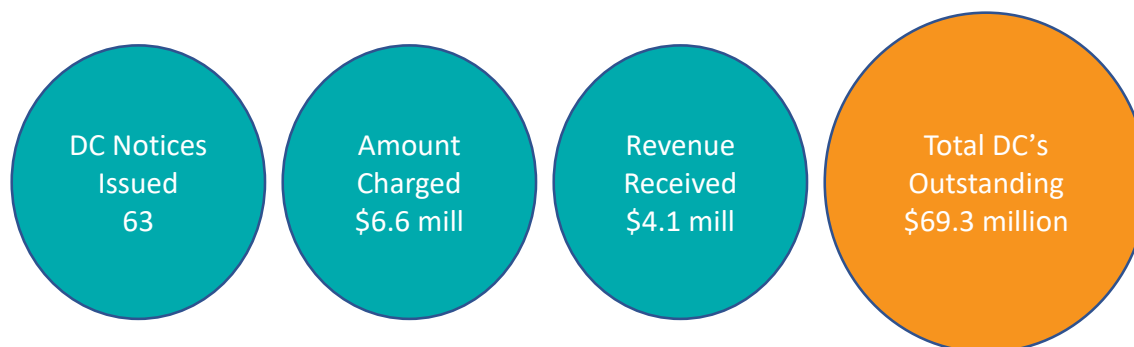


Figure 4: Development Contribution Notices for Quarter 4 - 23/24

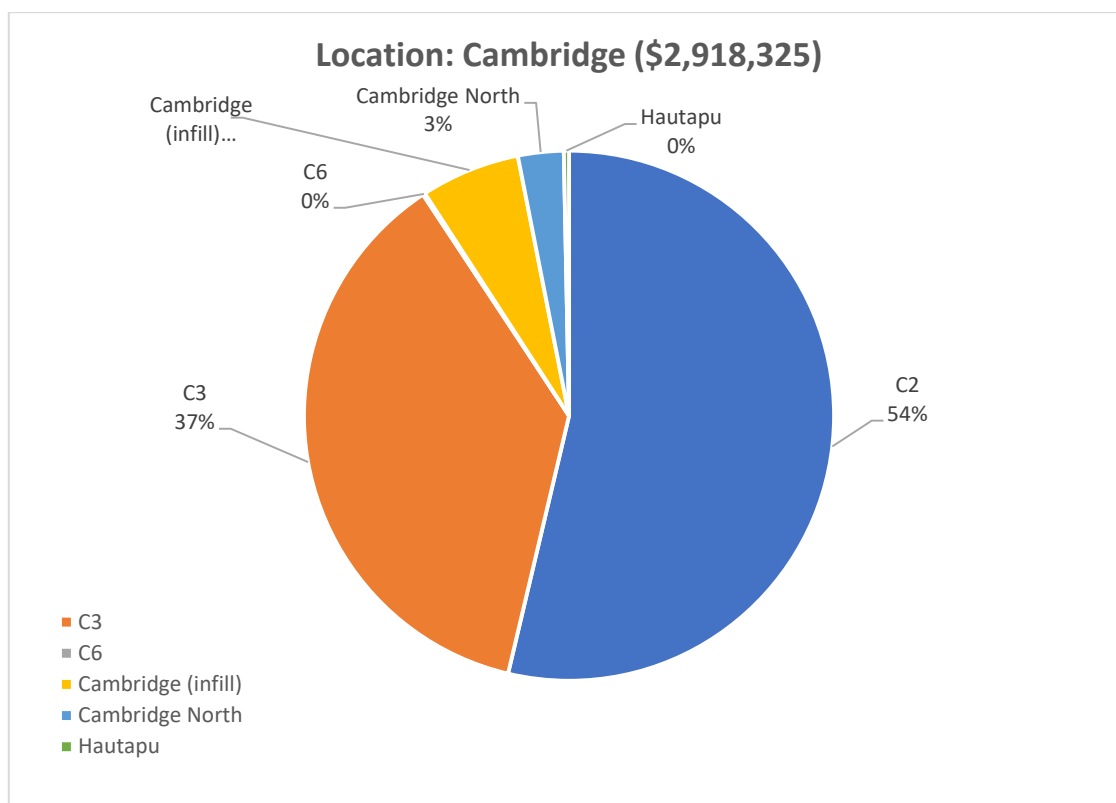


Figure 5: Development Contributions Paid in Cambridge for Quarter 4 - 23/24

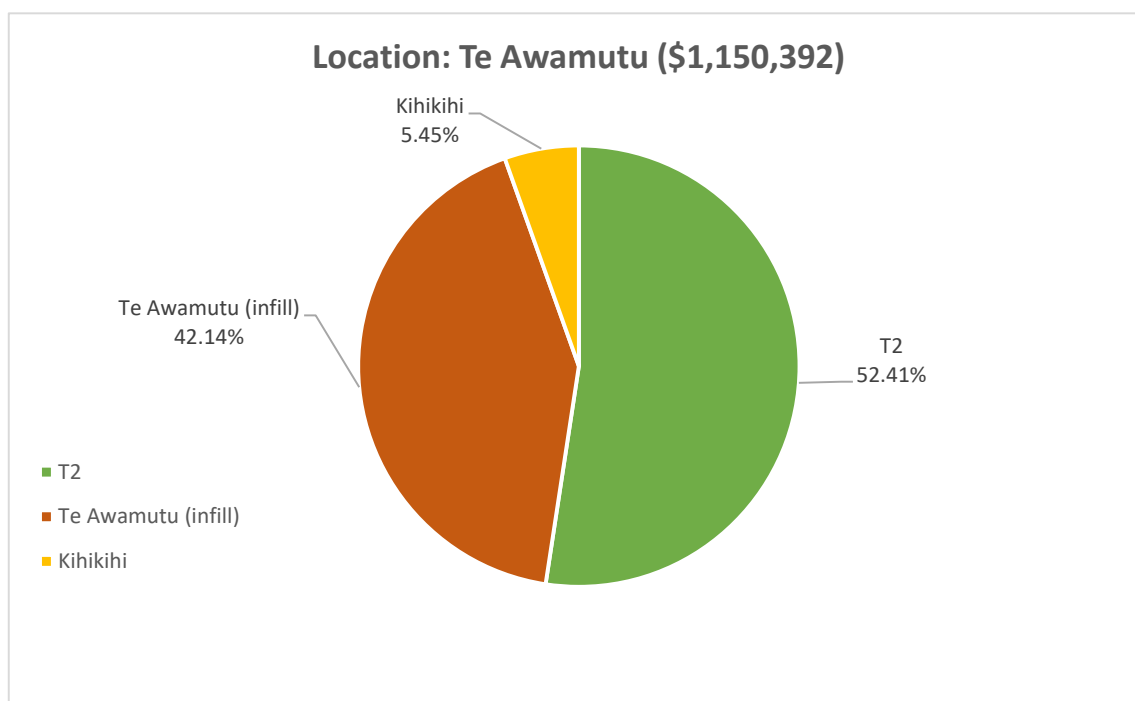


Figure 6: Development Contributions Paid in Te Awamutu for Quarter 4 - 23/24

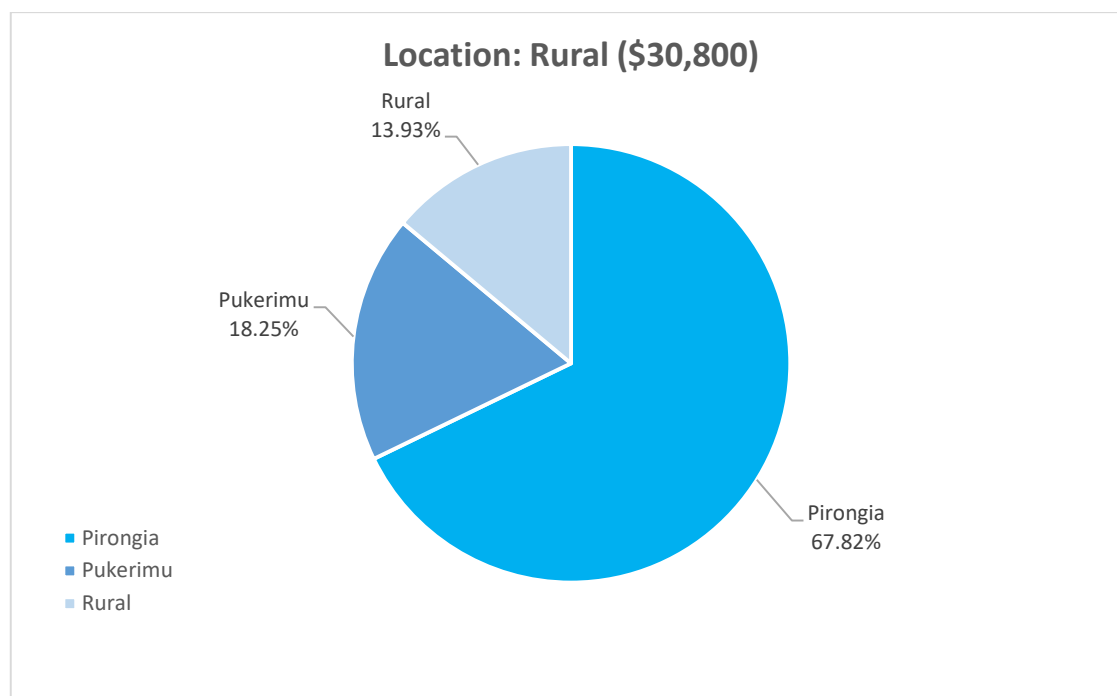


Figure 7: Development Contributions Paid in Rural for Quarter 4 - 23/24

BUILDING COMPLIANCE

Below is a summary of new building consents that were issued (refer to figure 8), building consents including amendments (refer to figure 9), and code compliance certificates (CCC's) issued (refer to figure 10) for this quarter (1 April to 30 June 2024).

Council issued 234 new building consents, and 357 building consents including amendments during this quarter. When compared to the same period in 2023 this is showing a decrease of 36 new applications, and a decrease of 114 for all building consent applications including amendments. The scope of the work for new applications are a mix of commercial and residential.

The building consent statistics included in this quarters data have been taken directly from the live data available in the AlphaOne system, we note these numbers may differ from that captured in Appendix 3 numbers.

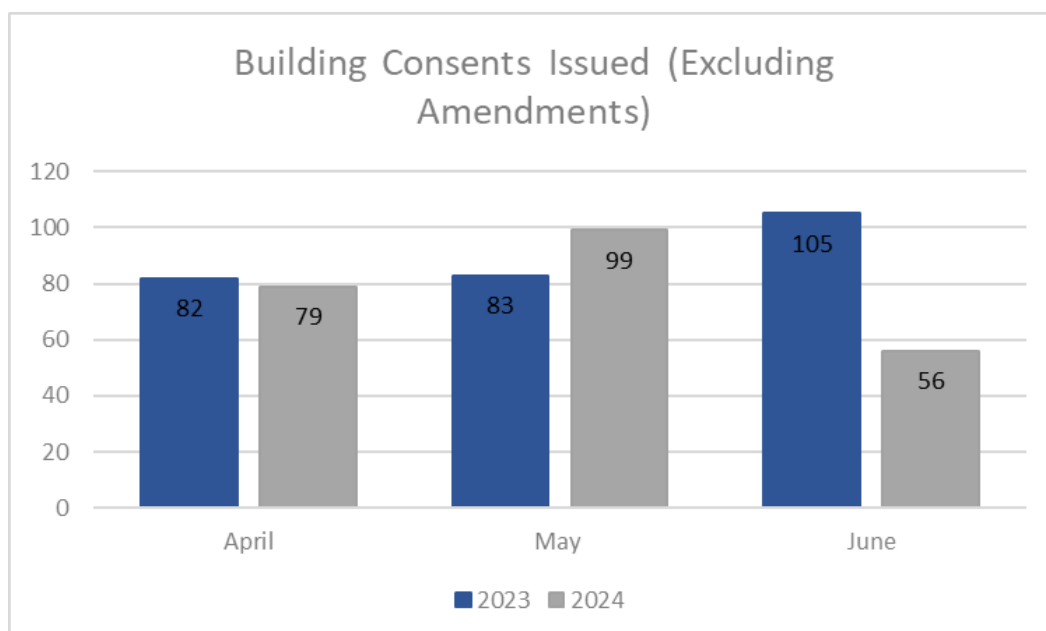


Figure 8: Building consent applications issued (monthly / quarterly comparison)

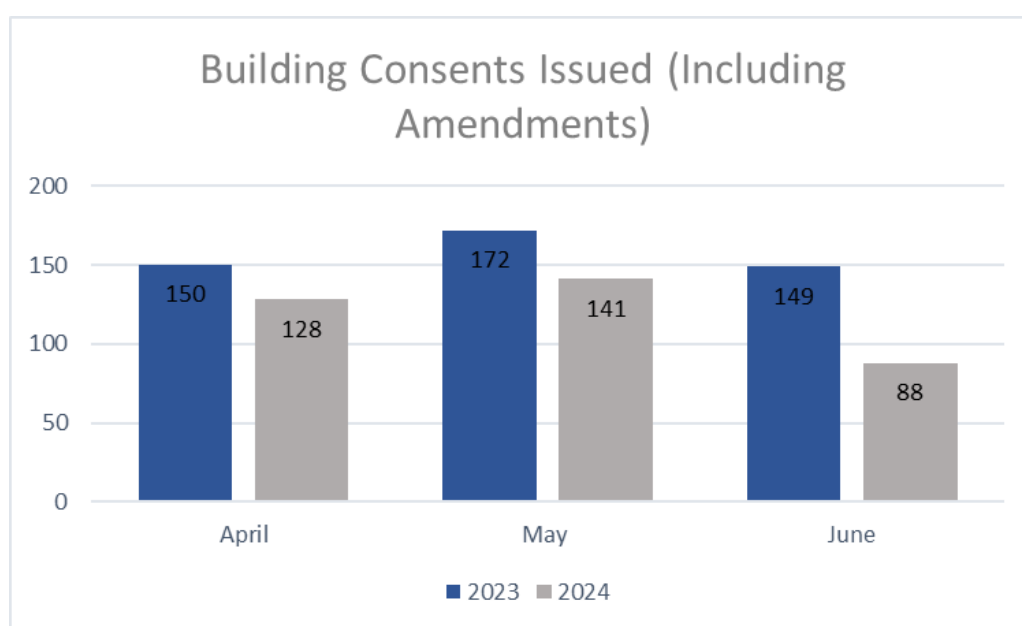


Figure 9: Building consent applications including amendments issued (monthly / quarterly comparison)

The number of code compliance certificates (CCCs) issued during this quarter shows a decrease compared to the same period last year (refer to figure 10) with 286 CCCs issued this quarter, while 355 were issued during the same period in 2023.

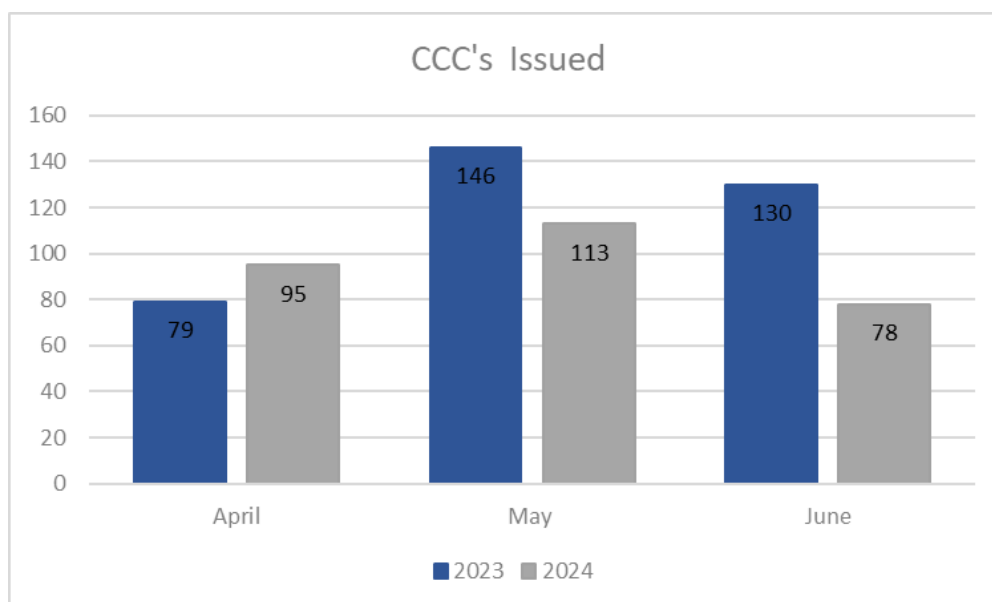


Figure 10: Code Compliance Certificates (CCCs) Issued (monthly / quarterly comparison)

Figure 11 below shows the number of new dwellings by location for this quarter compared to the same quarter in 2023.

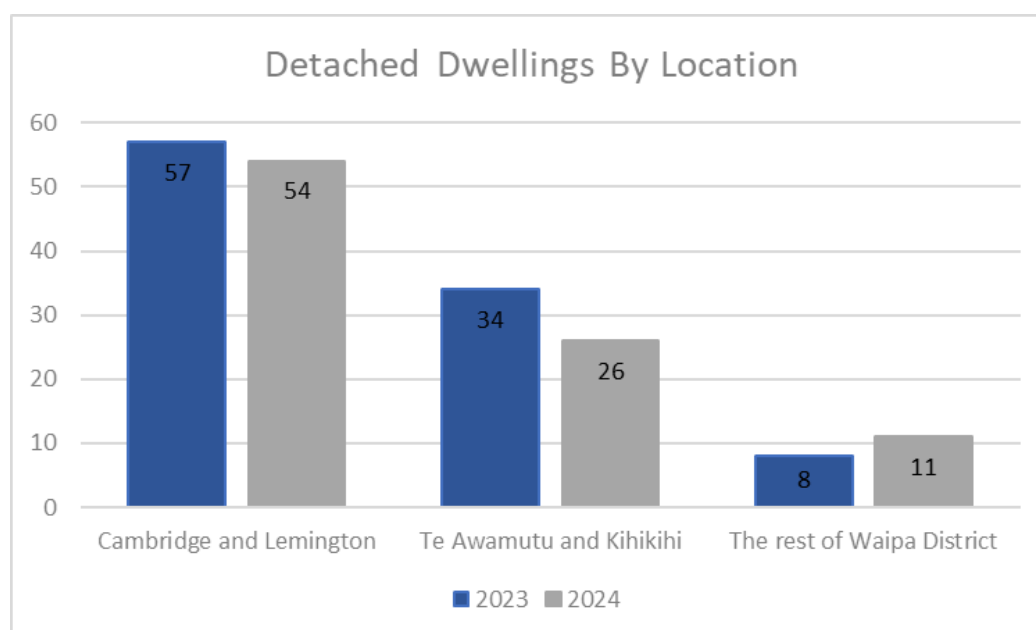


Figure 11: New dwellings by location (quarterly comparison)

SIGNIFICANT BUILDING CONSENTS ISSUED

From the building consents issued this quarter, the total value of building works equates to \$70,429,924. This was a decrease from the same quarter in 2023, which equated to \$87,049,370.

The significant building consents this quarter are:

- 1 Mary Ann Drive RD 1 Cambridge 3493 - Summerset Retirement Village development, stage three units.
- 137 Ingram Road RD 2 Hamilton 3282 - New three-unit warehouse development.
- 1105A Hautapu Road RD 1 Cambridge 3493 – New industrial building development split into three tenancies with warehouse and office functions.

As recently reported to the Audit and Risk Committee Council has satisfied all non-compliances arising from its IANZ audit in September, and the monitoring audit scheduled for this September has been cancelled following IANZ being satisfied Council is now low risk. Updates on improvements will be regularly reported to Audit and Risk Committee.

3.4 MONITORING AND ENFORCEMENT

MONITORING AND ENFORCEMENT

In total Council's Enforcement team responded to 101 complaints / queries regarding Planning issues. This comprised 88 complaints regarding breaches of the District Plan and 13 complaints about the potential breach of granted Resource Consents.

A further 48 queries regarding swimming pool barriers were also received and responded to. During the quarter a total of 122 swimming pool barrier inspections were conducted.

District Plan complaints received concerned amenity values, earthworks, home occupations.

All District Plan / Resource Consent queries were responded to within four days as required by one of the Team's KPI.

167 customer queries were received regarding Council's Bylaws and potential breaches. This included 128 complaints / queries regarding parking offences and issued parking infringements.

A total of 22 complaints about littering / rubbish dumping were received. In twelve (12) instances an infringement was issued where an offender could be identified from the team's investigations.

The Enforcement Team is now varying the scale of infringements issued for littering with a scaled approach taken based on the volume and nature of the rubbish being consideration. The maximum fine remains at \$400.00

Five hundred and seventeen (517) parking infringement notices were issued in the quarter. The majority were for 'overstaying' in time limited parking in both the district's CBDs.

A dashboard is now in place that provides a full snapshot of parking infringements linked to the electronic ticketing system in use, including analysis of locations and offences.

In line with Councils previous directions, since the new year warnings only have been issued for vehicles without warrant of fitness or registration. As this can be the basis for a complaint in relation to “abandoned” vehicles, and due to the number of warnings issued (33 in last 2 quarters), staff may request Council reconsider this position in the future.

In total the Enforcement Team dealt with 316 customer requests / queries in the quarter.

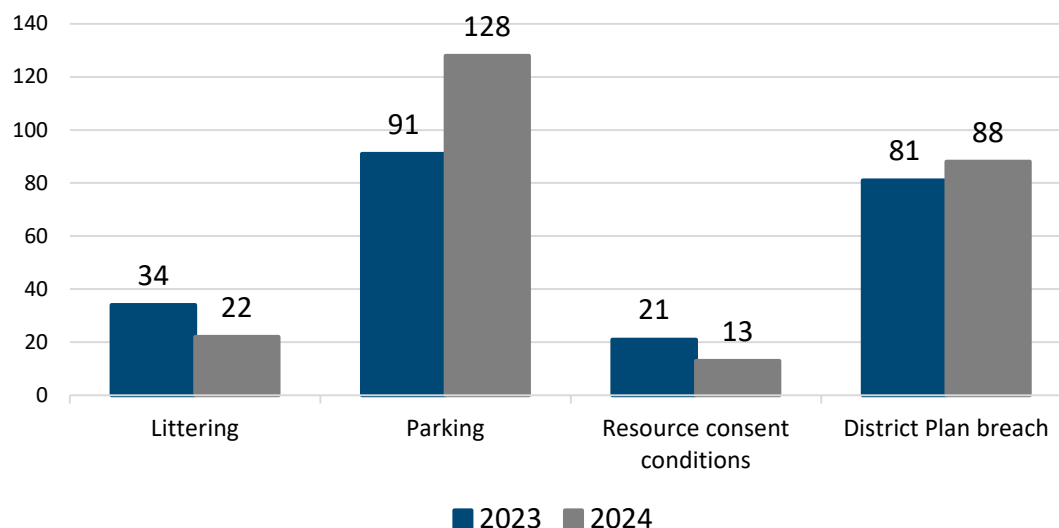


Figure 12: Complaints of regulation breach (quarterly comparison)

ANIMAL CONTROL

LOGGED CALLS AND REQUESTS

There were a total of 929 calls to the animal control team this quarter, with 473 being administration calls or requests for information, and 456 directly relating to animal control issues (including reports of lost dogs). Of the reported issues, 18 of the calls were reports of dog bites (13 on other animals and five on adult persons 16 years or over), with most being relatively minor in terms of injury. One attack incident by a classified dangerous dog that resulted in severe injuries to another dog has resulted in Council staff initiating prosecution proceedings. It is likely to be some time before the case is heard by the Courts.

Administration calls significantly increased with the dog re-registration process as expected, but there was no significant increase or decrease in other complaint types received.

DOG REGISTRATIONS

Re-registration notices for the 24/25 period were posted a few weeks later than usual this year due to a delay with the new fees and charges being approved. Registration renewals are on target with previous years. At the time of writing this report, 81.2% of dogs have been registered.

At the end of the 23/24 financial year 97.7% of all known dogs on our database had been re-registered. The team have been actively following up the 222 dogs that weren't re-registered and are prioritising those for enforcement in the coming weeks if they remain unregistered.

DOGS IMPOUNDED

There were 51 dogs impounded in this quarter, and of these 34 were claimed by their owner with four euthanased and three rehomed. Ten dogs from this quarter remained in Council care on 30 June 2024. Rehoming has generally been slower this year than in past years, but the team is dedicated to rehoming unclaimed dogs into suitable homes wherever possible and will hold dogs for this purpose as pound space allows.

GENERAL

We recruited a new animal control officer at the end of April, and with the new officer appointed in January we now have a full team again

With the new financial year, we are currently reviewing areas that still require signage following changes implemented by the new Dog Control Bylaw, and we will also consider areas that require dog bins. The team have been actively monitoring various urban areas for compliance with the bylaw, particularly the requirement to keep dogs on leash.

Two of our animal control officers have undertaken school and pre-school dog safety education sessions in recent weeks, with very positive feedback. We have more scheduled in the coming weeks.

ENVIRONMENTAL HEALTH

There were total of 212 enquiries relating to food, noise, contaminated land, licensing and public health matters for this quarter.

The Environmental Health team also processed a total of 131 alcohol licence applications and audited 89 food premises.

A total of 120 noise complaints were received of which 19 were issued with written directions and 6 with verbal directions to reduce excessive noise. No equipment was seized during this period.

The District Licensing Committee had no hearings during this quarter. No decision was known of the appeal in respect to the "5 Stags Pirongia" premises with the Alcohol Regulatory and Licensing Authority (ARLA) as at 30 June 2024. However, ARLA has since issued its decision on 19 July 2024 declining the appeal and upholding the DLC's decision not to renew the licence. The owner has until 2 August 2024 to file an appeal to High Court.

Progress continues to be made in reducing the processing time for alcohol licence applications. As at the end of the quarter 72 licence applications are pending with less than 40% more than 12 months old awaiting processing, an improvement of over 10%

since last quarter. A number of those are awaiting action by the applicants before they can proceed.

4 APPENDICES - ĀPITITANGA

No:	Appendix Title
1	Waipā District Growth Cells
2	Major Resource Consent Applications
3	Building Consents Issued
4	Applications determined by the District Licensing Committee
5	Quarterly Statistics
6	Year on Year Statistics (as at 30 June 2024)
7	Submission to Waikato Regional Council – Long term Plan 2024-2034 [ECM Number 11211833]
8	Submission to Fire and Emergency New Zealand Consultation document on setting the 2024-2026 levy [ECM Number 11226957]
9	Going for Housing Growth – Stage One Unveiled [ECM Number 11270718]
10	Factsheet 1: Going for Housing Growth at a Glance [ECM Number 11260825]
11	Factsheet 2: New Requirements for Councils [ECM Number 11270758]
12	Factsheet 3: Council process to implement Going for Housing Growth [ECM Number 11270762]

Approved by:

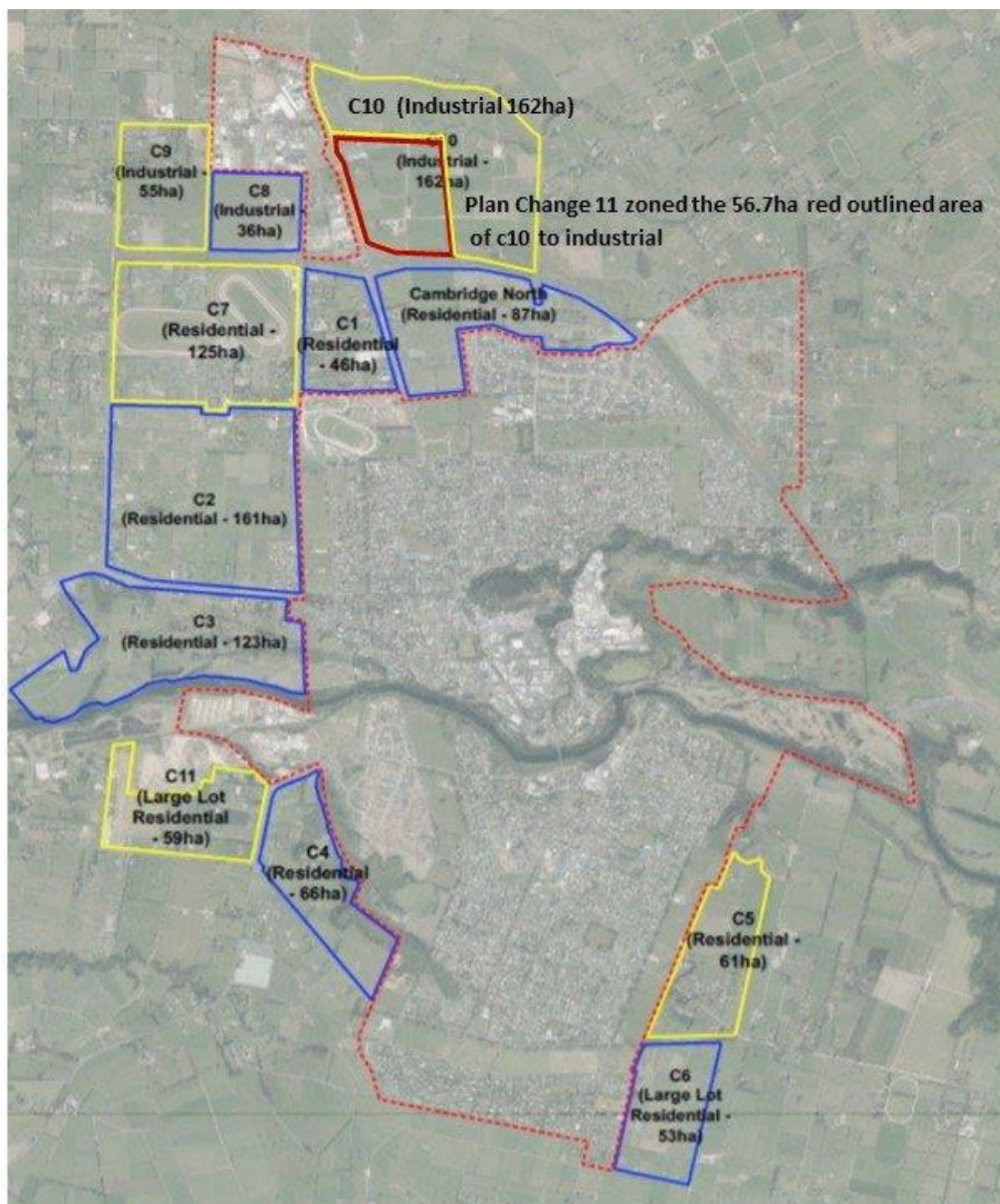


Wayne Allan

GROUP MANAGER DISTRICT GROWTH AND REGULATORY SERVICES

APPENDIX 1 - WAIPĀ DISTRICT GROWTH CELLS

CAMBRIDGE GROWTH CELLS



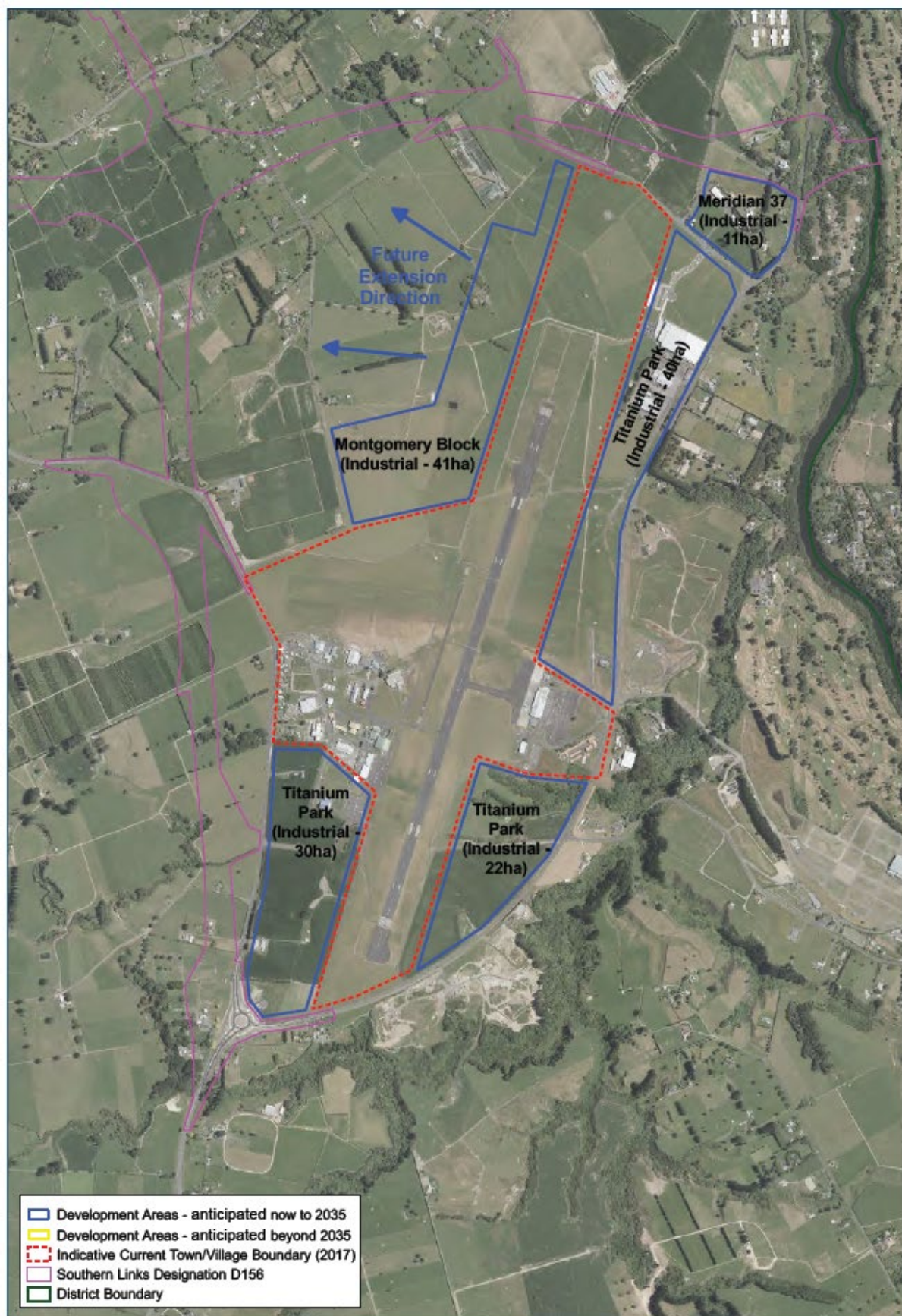
GROWTH CELL	STATUS UPDATE
Cambridge North	Roughly 34ha of Cambridge North remain to be developed. St Kilda is fully developed. Summerset application and construction works commenced and paid their relevant development contributions, Health hub is working through construction of their development since lodging a s127 altering the facility and what it delivers, and the remaining area they have available for the wider balance land has been submitted and granted, currently working through detailed design. The Ministry of Housing and Urban Development (MHUD) has put out for an expression of interest for developing their land area. Eight tenderers were received. The process was placed on hold due to internal resourcing issues within MHUD, but this was resolved, and the process was back on track. The planning team have prepared pre application notes to help with the tenderers and ensure council is providing consistent messaging as to not have any unfair advantage being perceived. The new Coalition Government has forced the works to remain on hold once again until such time that the Government has worked through its prioritisation and funding directions. Our latest update from MHUD outlined that Cabinet were yet to decide on the funding for this project.
C1	Masterplan complete and working with Developers within the cell on their latest plans. 2 pre applications have been held with developers for their planned neighbourhood centre development. Northwestern development of the cell has 90 lots current either under construction or s224 issued. C1 stormwater basin mediation is in final stages with expert conferencing to be finalised to determine pond size. Northeastern area has seen significant interest from developers with a pre application lodged for early august on potential intensified development.
C2	3Ms initial stages 1A, 1B and 1C are now signed off for s224 making 100 lots available on the market. Stage 1D currently under construction with the final terms approved by Council for the development agreement also extend roading corridor of later stages to coincide with the development of the neighbourhood designation playground. The central roundabout between the C2 and C3 growth cell located on Cambridge Road is still under construction, likely to be finished middle of next year. Collector roads, terminal pumpstation and swales are now largely completed alongside the construction with developers staging. Note: Council staff have still not received any formal update from the Ministry of Education with regards to their reactivation of the planned Cambridge West School. Peake Mews (Brian Perry charitable trust compact development also undertaking construction) has completed initial stages of development and

GROWTH CELL	STATUS UPDATE
	received s244 for the initial staged development. Their latter stages have been put on hold due to the Government funding no longer provided now. Kelly Road northern extent has been urbanised to enable the development of the wider cell and existing urban environment. Initial subdivisions within this area are progressing in line with our master planned infrastructure and have attained their s224 bring 19 lots to market. Acquisition of necessary swales in Kelly Road has also progressed as well as all land for the northeastern collector road excluding the town belt revocation. Development of these land parcels is looking to be undertaken via infrastructure works agreements with neighbouring developers, which is now progressing through negotiations, with the swale works agreed and priced into the cost savings attained under an existing IWA at no additional cost to the overall contract. The northeastern collector (now Don Gerrand Drive) will look to continue in its construction in conjunction with an approved 87 lot subdivision within the C2 growth cell (SP/0155/22), which will complete the loop of the road to boundary of the greenbelt reserve and loop in Kelly Road. Once revocation has occurred, the northeastern collector can fully connect to Taylor Street creating a more permeated transportation network will cycle facilities.
C3	Masterplan of the 3Ms SPJV portion has been refined due to development aspirations (Council has given input on this), with pre application request booked in for August to discuss timing and discrepancies against the structure plan. Development of a portion of the site that is zoned residential is underway, by way of earthworks consent, enabling Council construction of core infrastructure linkages (stormwater and transportation). The stormwater outfall construction is ongoing with the authority application with Heritage NZ applied and granted. Te Awa remain under construction delivering their next stage of development, however there are concerns with the current SW locations interfering with the Council obtained wastewater easements. Council staff are liaising with Te Awa directly on this issue.
C4	Current subdivision for northern most land holders (90 lots) is currently on hold with the developers waiting until the next construction season to finalise. The subdivision just south has been signed off for s224 with another 90 lots including mixed typology compact lots (~18). The roundabout has had a conceptual design completed, which has enabled staff to enter a land acquisition phase. Council staff have met with all affected landowners as result. Valuations to now proceed and potential agreements with the landowners / developers to deliver the necessary upgrades of infrastructure.

GROWTH CELL	STATUS UPDATE
	These discussions have also helped Council staff understand future timings of the remainder of the growth cell, which has led to an enabling earthworks consent to be lodged. We are in discussions with the developer to work through aspects that could be done in alignment with the developed design. Detailed design is currently also in progress for the roundabout as well as the next stage of land acquisition.
C5	Private Plan Change 28 covers the initial post 2035 uplift. Council staff have reviewed the application and have had several queries over several matters of concern. Council staff are yet to see a formal response to the queries raised. All Council staff feedback to date has been the expected construction and upgrades necessary for the uplift would be at the developer's expense.
C6	Large lot residential approximately 80% developed. No change as per previous update.
C7	No Structure Plan. Earmarked for residential development post 2035. Due to stormwater management issues, half of the growth cell might need to be large lot residential but will be checked at the time of its activation.
C8	Zoned Industrial, approximately only 15% developed. Council has provided water and wastewater connections to the southeast corner of this area as strategically planned for. Council have undertaken the basin 2 design to help enable the cells development and the existing Allwill drive catchments with the initial stage to alleviate existing drainage issue along Allwill almost complete. Several developments have occurred within the existing Hautapu areas, but nothing further within the remainder of the largest land holder.
C9	We have received an initial application from the Area 7 landowners (currently post 2035 and to the north of the included Kama Trust block). We have requested further information prior to accepting lodgement.
C10	Identified for industrial development, a structure plan was approved for the 60Ha Bardowie Investments Ltd portion of the cell. Within this structure plan 35ha is currently being stage developed to accommodate the new APL manufacturing facility. Initial Collector Road and roundabout (which may in future by local and single benefit) designs as well as water and wastewater construction have commenced/completed to enable wider development of this growth cell, with some design refinements to the roundabout coming through from liaison with the heavy haulage society. Master planning refinement necessary given developer aspirations sent through to wider C10 landowners for comment, which has led to a plan change being prepared for the Fonterra portion of the land. Council will potentially look to take this plan change process over. Agreements with BIL based on feedback are progressing to enable existing C10 industrial operations to function as per the structure plan.

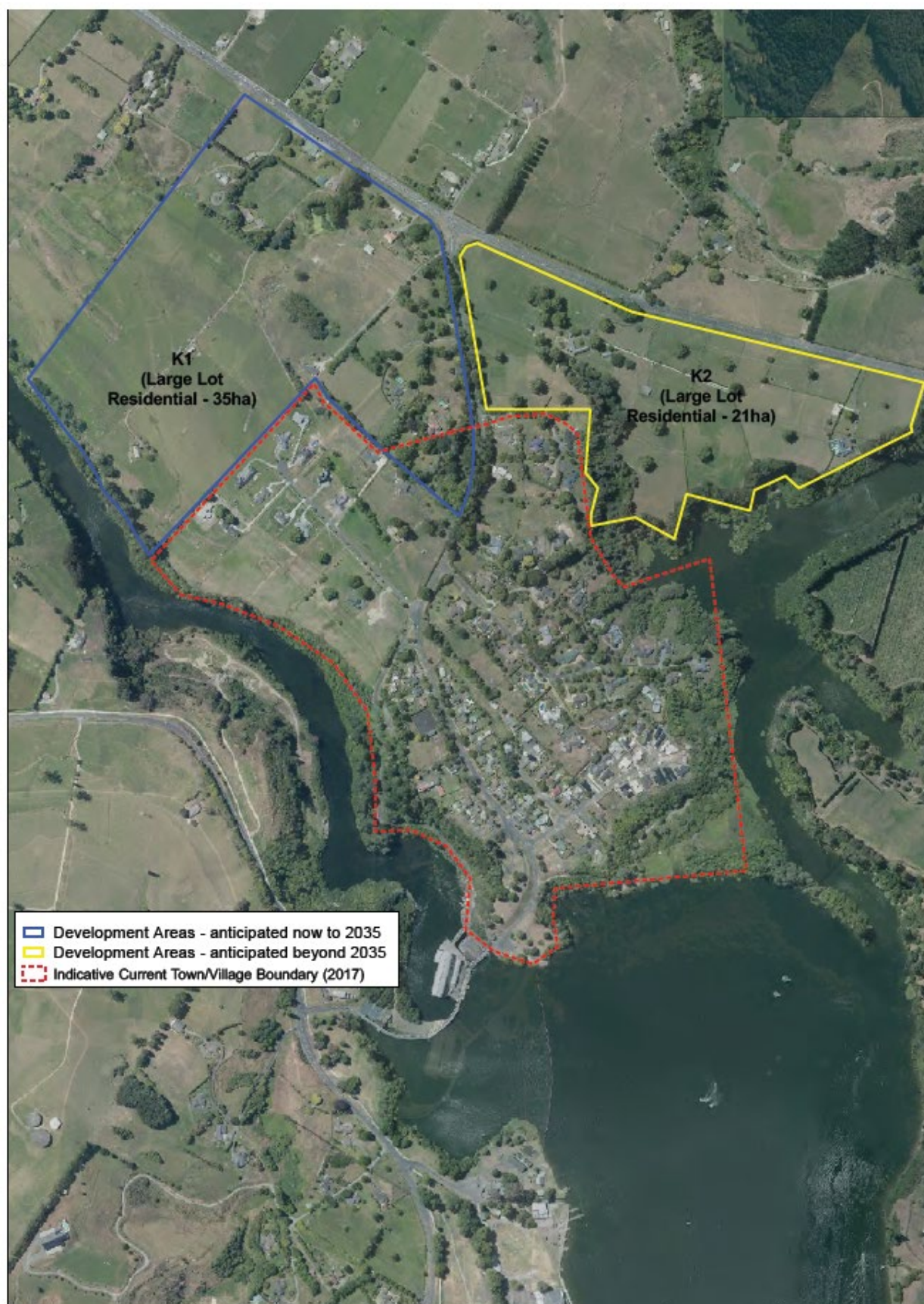
GROWTH CELL	STATUS UPDATE
	Plan Change 14 lodged by Fonterra and adopted by Council was publicly notified, submission period has now closed, 15 submissions were received which are now being summarised.
C11	No Structure Plan. Earmarked for large lot residential development post 2035. Zoning may be reviewed in draft Plan Change 21.

HAMILTON AIRPORT GROWTH CELLS



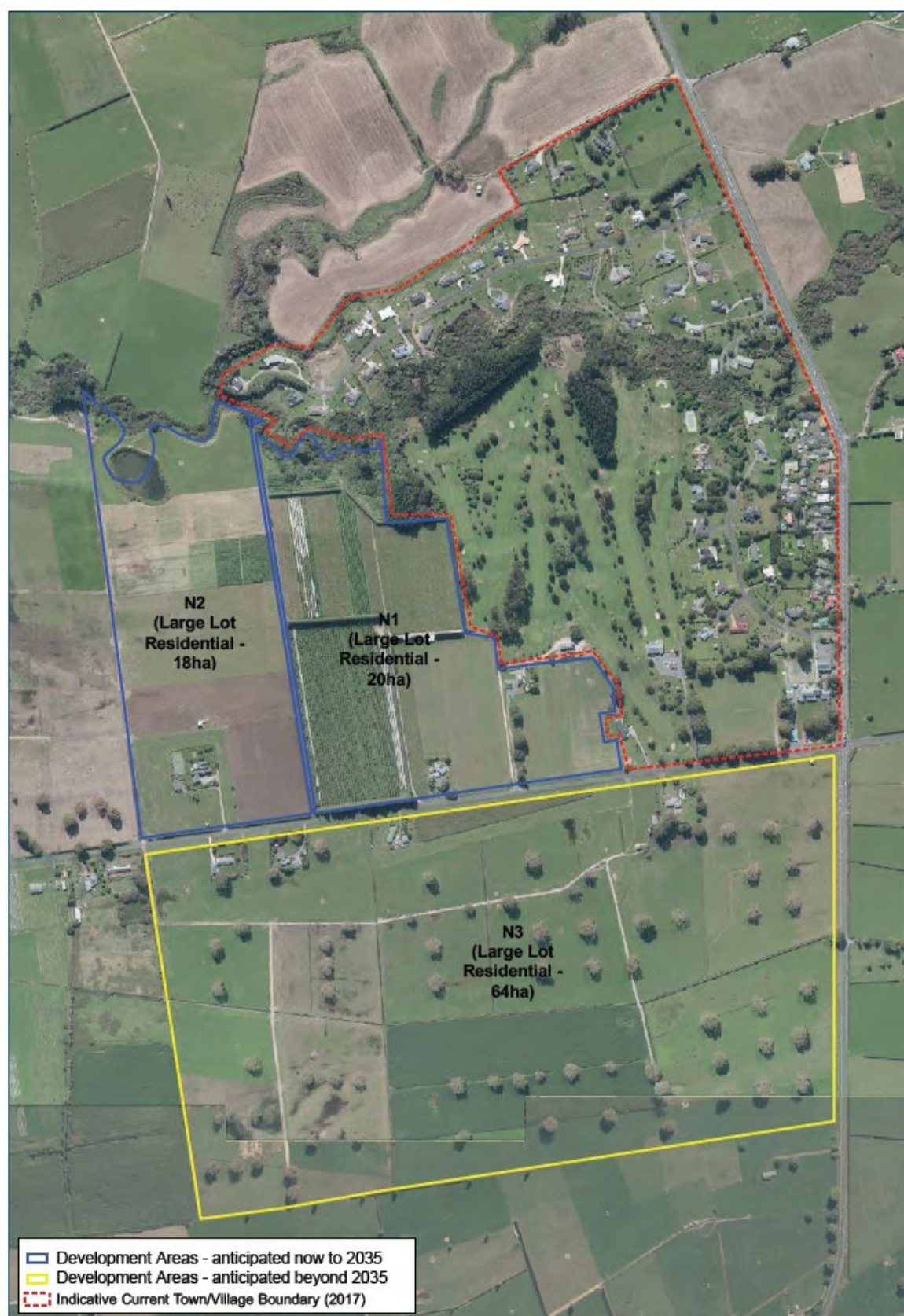
GROWTH CELL	STATUS UPDATE
Titanium Park	Airport business zoned with structure plan. Approximately 95% is developed. Have received application and design plans for Ingram Road connection, finalising road layout of the establishing full connection between the western hubs. Development of the water supply upgrades within the older Ingram road area is being built by Camex, at the airport expense (as per 2009 agreement). Additional development agreements have been entered into regarding the wastewater disposal of the areas with reticulated supplies provided.
Meridian 37	Zoned Industrial, approximately 50% developed.
Northern precinct extension	Private Plan Change 20 is now Operative and land has been added to the Airport Business Zone (ABZ) and included as part of the ABZ Structure Plan Area referenced as Northern Precinct.

KARĀPIRO GROWTH CELLS



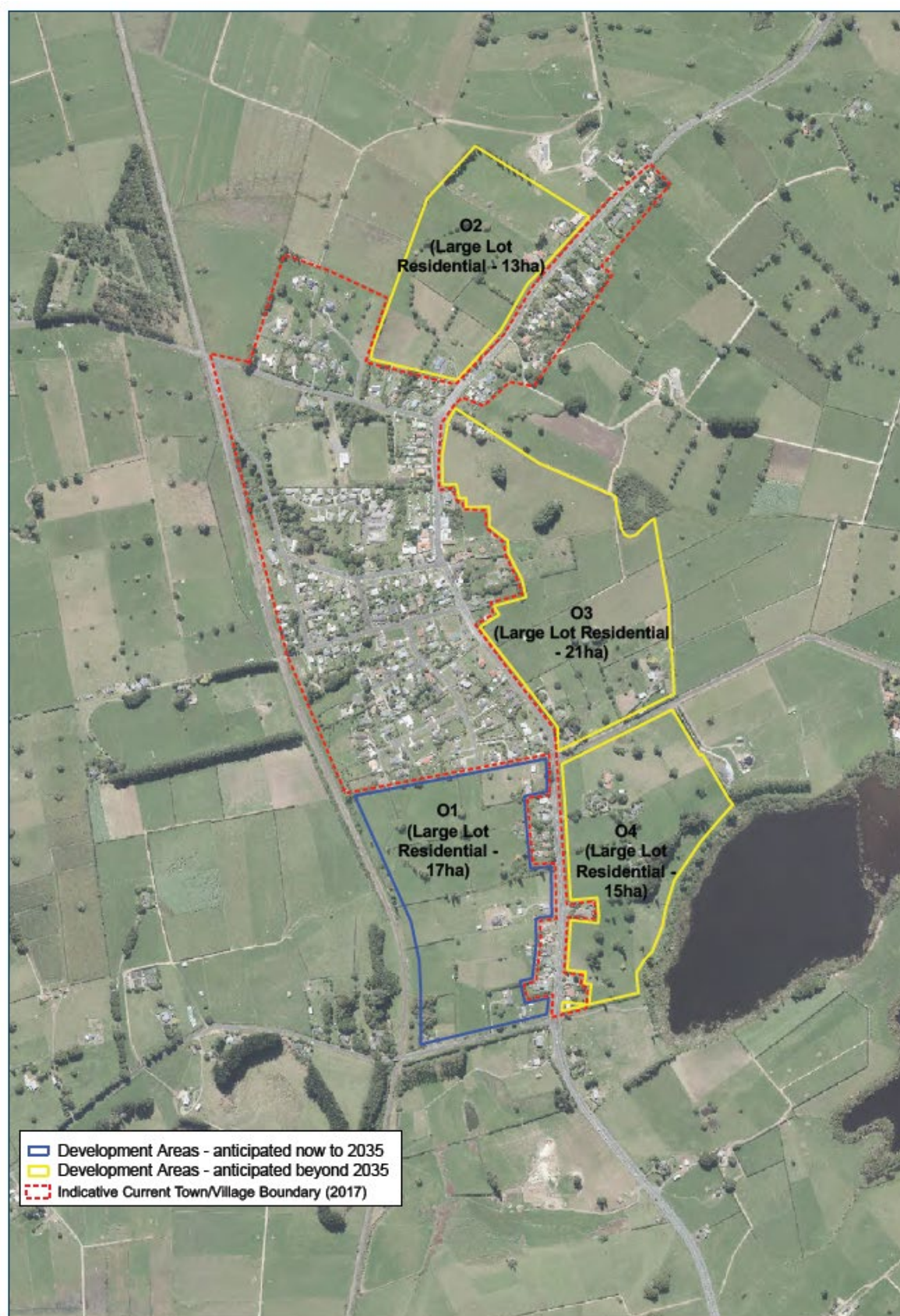
GROWTH CELL	STATUS UPDATE
K1	Zoned Large Lot Residential. Council staff have received an application for subdivision. Section 92 was issued and awaiting feedback from developer before finalising conditions. This would be for the entirety of the cell.
K2	Zoned Deferred Large Lot Residential. This growth cell is earmarked for development post 2035. As part of Ahu Ake, the area may receive a concept plan to help inform the structure plan at a later date. Main reason for this directive is the Waka Kotahi highway diversion project.

NGAHINAPOURI GROWTH CELLS



GROWTH CELL	STATUS UPDATE
N1	Zoned Large Lot Residential. There is a developer led structure plan for this growth cell and development is proceeding with the first stage completed and sections mostly sold. Further stages 2 and 3 are now also completed and signed off.
N2	Zoned Large Lot Residential, this growth cell is earmarked for development subject to landowner and developer interest and meeting the requirements for uplifting the deferred zone status. Development of a structure plan is underway as part of the Town Concept Plan.
N3	Zoned Deferred Large Lot Residential. This growth cell is earmarked for development after 2035 however a structure plan is underway for completeness, along with N2. Interest from developer and initial meetings to develop this site is known, working on the proposed roundabout trigger.

OHAUPŌ GROWTH CELLS



GROWTH CELL	STATUS UPDATE
O1	This growth cell is zoned Large Lot Residential with a structure plan and is approximately all but developed. Ahu Ake identified the potential intensification of Ōhaupō subject to infrastructure design and scoping. This will require wider master plan scoping holistically tying into the airports potential to service works, and wastewater.
O2	Zoned Deferred Large Lot Residential, this growth cell is earmarked for development post 2035. Ahu Ake identified the potential intensification of Ōhaupō subject to infrastructure design and scoping. This will require wider master plan scoping holistically tying into the airports potential to service works, and wastewater.
O3	Zoned Deferred Large Lot Residential, this growth cell is earmarked for development post 2035, but has been confirmed in the Future Proof Strategy for earlier development. (refer to O4 comment). Ahu Ake identified the potential intensification of Ōhaupō subject to infrastructure design and scoping. This will require wider master plan scoping holistically tying into the airports potential to service works, and wastewater.
O4	There is landowner interest in relation to proposed development and intensification of this growth cell and part of O3. Earmarked for development post 2035 but has been confirmed in the Future Proof Strategy for earlier development. Ahu Ake identified the potential intensification of Ōhaupō subject to infrastructure design and scoping. This will require wider master plan scoping holistically tying into the airports potential to service works, and wastewater.

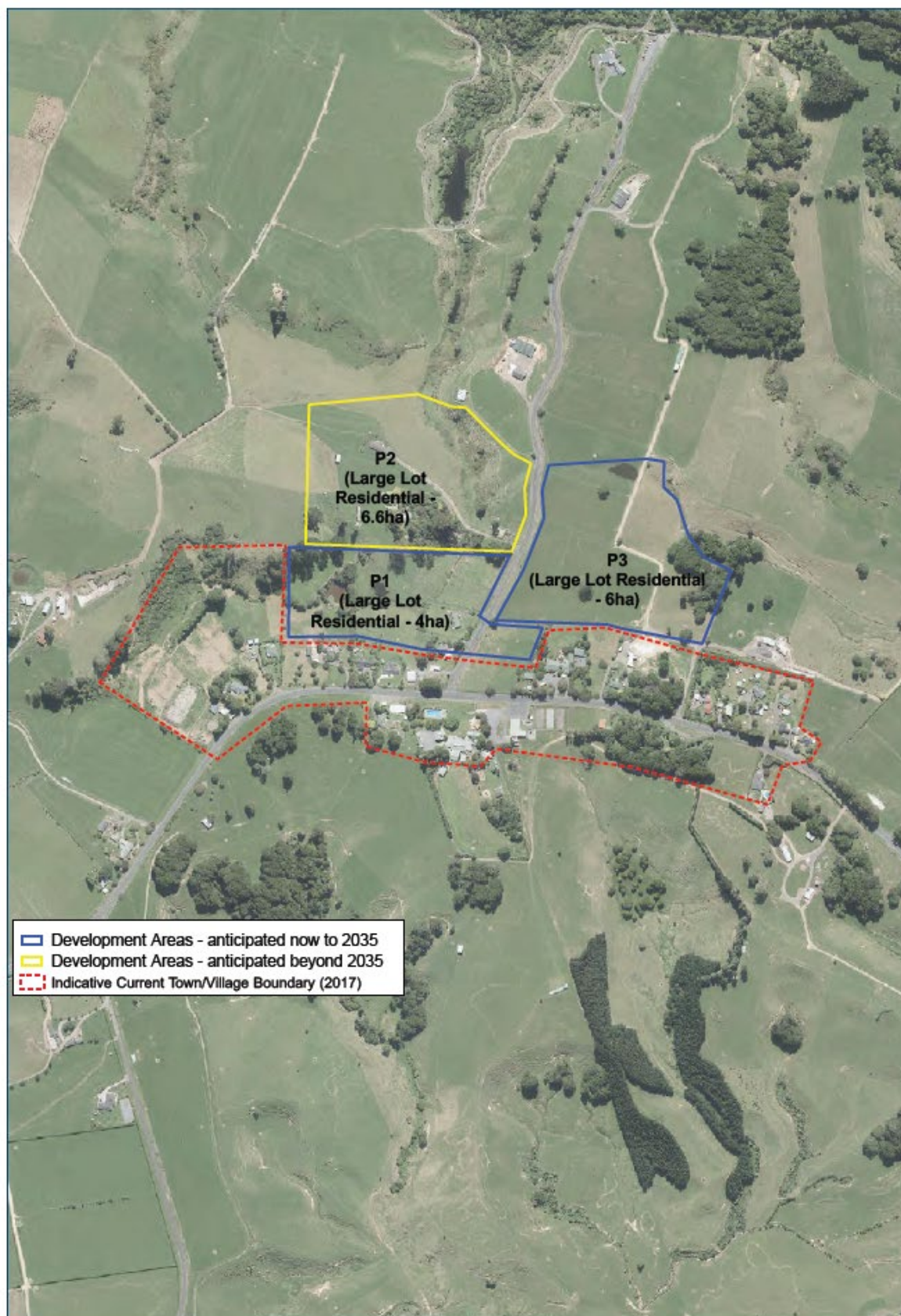
PIRONGIA

There is no staging of growth areas within Pirongia as all growth has been identified as being within the current town boundaries.



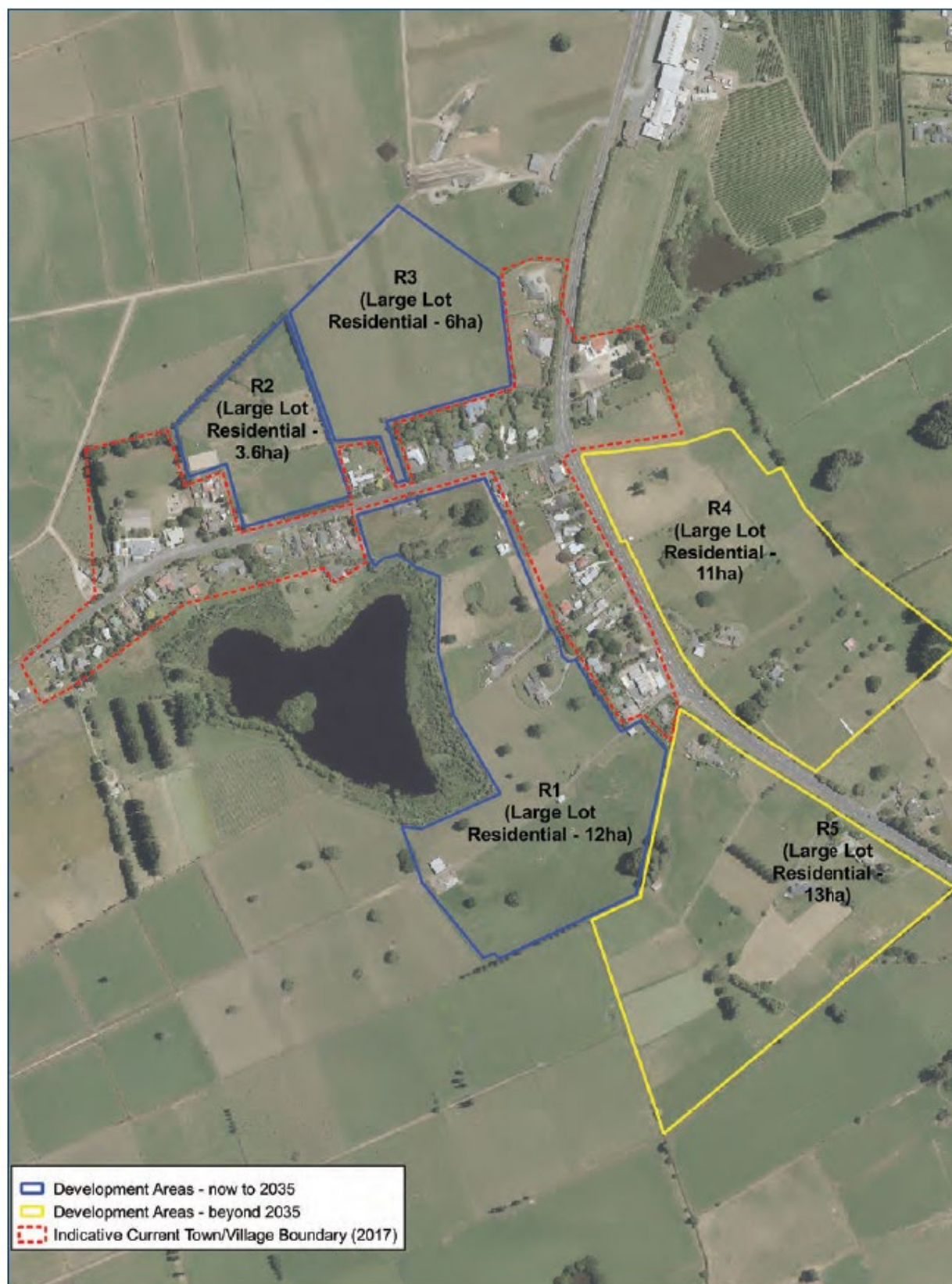
GROWTH CELL	STATUS UPDATE
N/A	Development continues with the Remey and Brown block (Southeast), but there is a stormwater issues located within the road corridor which requires rectification from the developer's agent. These issues continue to be discussed but are yet to be resolved. Development within the Southwest is all but completed from a planning/engineering perspective and is now being developed on an individual site level.

PUKEATUA GROWTH CELLS



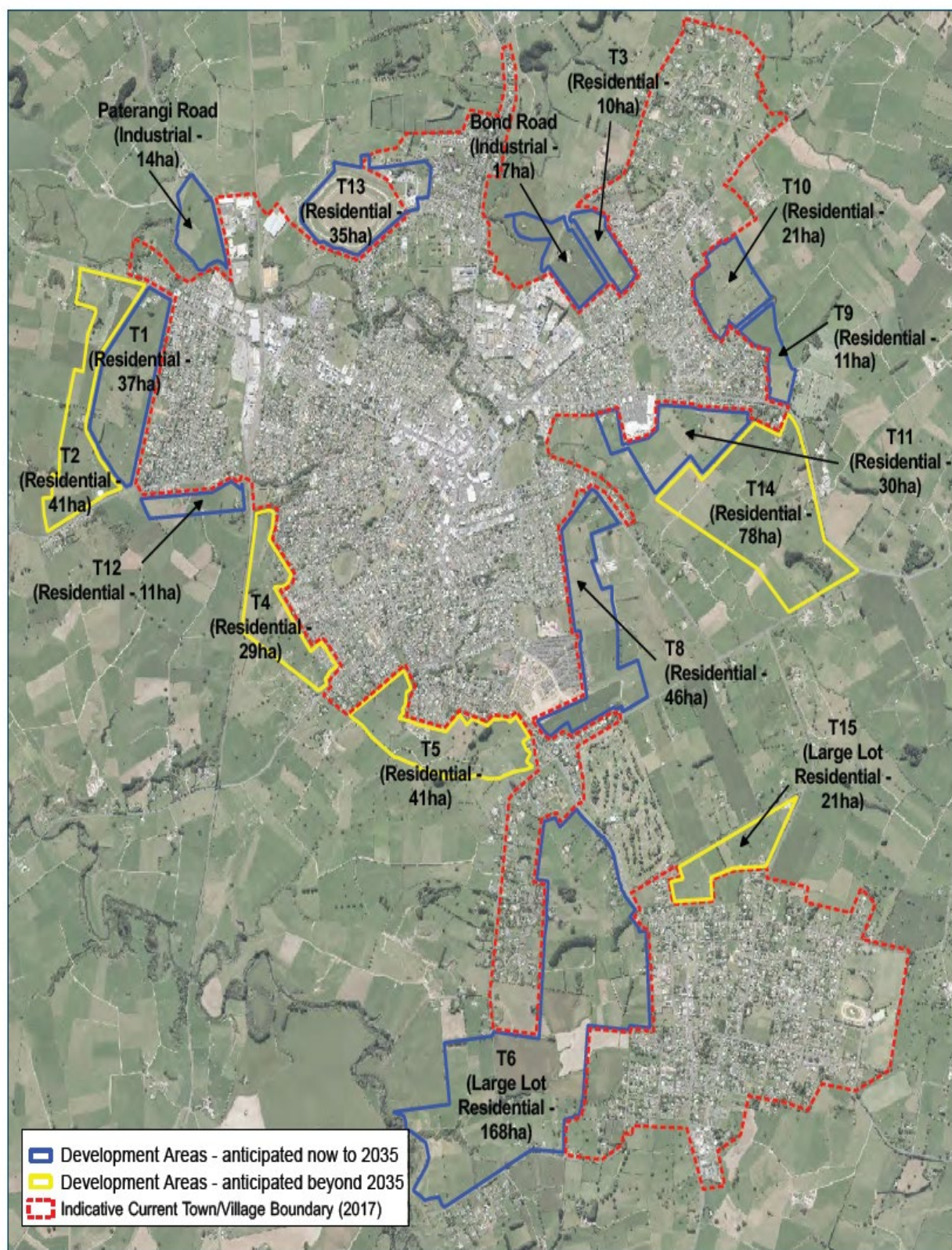
GROWTH CELL	STATUS UPDATE
P1	Zoned Large Lot Residential, this undeveloped growth cell is available for development subject to landowner and developer interest.
P2	Zoned Deferred Large Lot Residential, this growth cell is earmarked for development post 2035.
P3	Zoned Large Lot Residential, consent has been lodged with design incorporating connectivity via footpath (maybe pedestrian calming facilities as well) to the school, construction is still on going.

RUKUHIA GROWTH CELLS



GROWTH CELL	STATUS UPDATE
R1	Zoned Large Lot Residential, this largely undeveloped growth cell is available for development currently subject to landowner and developer interest. Ahu Ake, may explore a further intensified development given the proximity to the Airports northern precinct, will be subject to holistic masterplan for the area. Collectively across the growth cells, there is interest from landowners to develop with higher levels of intensification than what council services can currently provide (mostly Water supply and Wastewater). We have outlined that council is not able to fund infrastructure development for further intensified development and would need to form part of the wider spatial wastewater treatment plant requirements. All reticulation to convey this demand would need to also be funded by the developers who benefited.
R2	Zoned Large Lot Residential, this undeveloped growth cell is available for development currently subject to landowner and developer interest. Ahu Ake, may explore a further intensified development given the proximity to the Airports northern precinct, will be subject to holistic masterplan for the area.
R3	Zoned large lot residential, this undeveloped growth cell is available for development currently subject to landowner and developer interest. Ahu Ake, may explore a further intensified development given the proximity to the Airports northern precinct, will be subject to holistic masterplan for the area.
R4	Zoned deferred large lot residential, this growth cell is earmarked for development post 2035. Ahu Ake, may explore a further intensified development given the proximity to the Airports northern precinct, will be subject to holistic masterplan for the area.
R5	Zoned deferred large lot residential, this growth cell is earmarked for development post 2035. Ahu Ake, may explore a further intensified development given the proximity to the Airports northern precinct, will be subject to holistic masterplan for the area.

TE AWAMUTU AND KIHIKIHI GROWTH CELLS

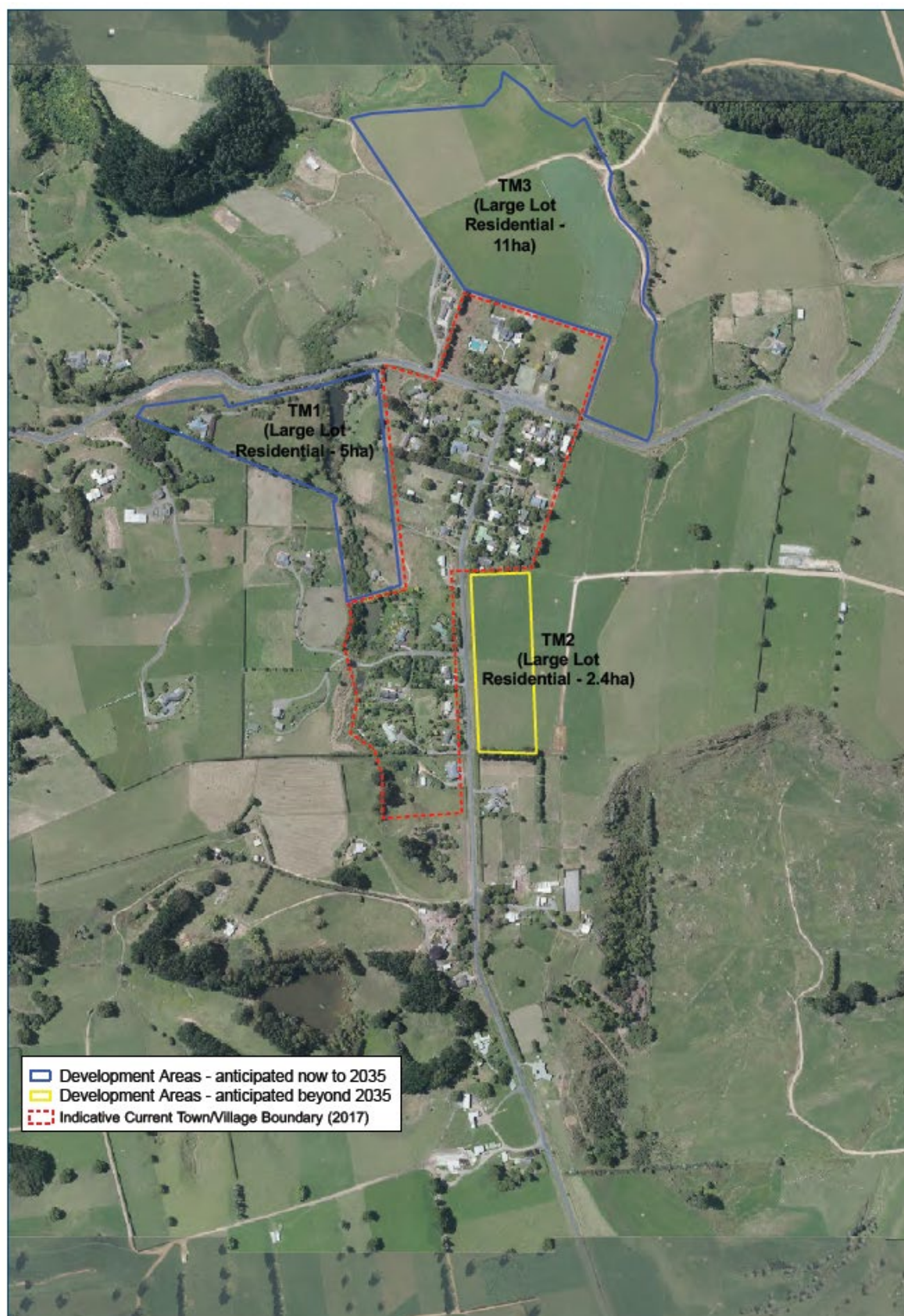


GROWTH CELL	STATUS UPDATE
T1	Has a development plan and is zoned Residential. This entire growth cell is currently being developed. Stages 1-4 are either developing lots or building houses. Development of later stages did not progress through last construction season however Council did finalise the reserve playground within the Mahana Reserve extension. Development overall within the growth cell continues very slowly. Expect year on year ~20 new lots from said development for the next 3 - 4 years, unless upswing in market occurs.
T2	Zoned Deferred (partial) Residential, uplifted over the southern part of the cell by Plan Change 12. An Infrastructure Works Agreement has been signed for the first portion of frontier road urbanisation project and is finalised. Additional compact housing development within the live zoned portion is currently underway. Retirement village continues construction progress through its current staging arrangement.
T3	Zoned Deferred Residential, this growth cell has been split into two. One half has been developed in accordance with the structure plan. The other has yet to have a structure plan developed but a pre-application meeting has been held with the landowner/developer. Expect some alignment with delivery of cell with Bond Road industrial. The developer has recently started to communicate with Waikato Regional on their expected Stormwater devices, earthworks consents and construction, and have also submitted on the plan change 26 to look at avenues for intensification within the block. Their earthworks consent has enabled some initial work but have yet to see a subdivision application for the site's final layout.
T4	Zoned Deferred Residential, this growth cell is earmarked for development after 2035. Initial meeting with southern landowner has outlined the deferred status and how this cell is tied to the Western arterial road designation/construction. A private plan change to rezone as live cell has been received and it is going through the relevant consenting pathways, but has required a section 92 to be raised in order to be appropriately processed. Issues have arisen with the Wastewater servicing for the cell. The expectation is that the developer will be responsible for upgrading the network in order to facilitate the development.
T5	Zoned Deferred Residential, this growth cell is earmarked for development after 2035.
T6	Zoned for Deferred Large Lot Residential, this growth cell has a Council approved structure plan included in the District Plan by Plan Change 13. No funding for infrastructure has been included in the 2021 Long Term Plan. An

GROWTH CELL	STATUS UPDATE
	updated structure plan is under consideration. Zoning may be reviewed as part of draft under review of the structure plan. Pre-application for a 37 lot stage has occurred although timing of subdivision is not yet known.
T8	Most of this growth cell has an approved structure plan and is now zoned residential. The park within the initial Swarbrick drive extension is now opened for the residents and wider T7 (previous catchment). Road linkage to Golf Road is now complete which will provide more permeation in our traffic networks. There has been some interest from landowners to develop the remainder of the cell, however no pre applications yet.
T9	Zoned Residential and has an approved structure plan. More stages and applications likely to come once roundabout is constructed for T9/T14. A lot of complications between developers and landowners on this, which has for the large part being resolved as well as design of the roundabout reflecting this. We are still progressing with the land acquisition and have met with the required landowners. We hope to work through the final matters this year, to then begin consenting on procurement phases.
T10	Zoned Residential and ready for landowner and developer resource consent applications for its development. No interest to date this year.
T11	Zoned Deferred Residential (uplifted by Plan Change 13), with a Council endorsed structure plan. Stages application is approved 77 lots and funding allocated for WWPS has been acquired for both a Development and infrastructure works agreement currently alongside the subdivision construction (initial 29 lots of the 77 through this construction period). Depending on sales of sections, the next stages development would come up for construction the following year. Kainga Ora have acquired land from Council, however, need to resolve their stormwater issues prior to lodging a formal application.
T12	Zoned Residential, pre application for the entire cell has come through to Council, however this was an initial due diligence, so is still early in its development timeline. Note as this is one landowner, no Council investment is foreseen.
T13	Zoned Residential, no active activity within the growth cell occurring.
T14	Zoned Deferred Residential, this growth cell is unlikely to be developed until after 2035. Landowner negotiations for the roundabout installation in line with T9 are still ongoing.
T15	Zoned Large Lot Residential, a development plan has been prepared for much of this growth cell by the majority landowner who has been issued with subdivision consent staged. Water connections were requested, but as this

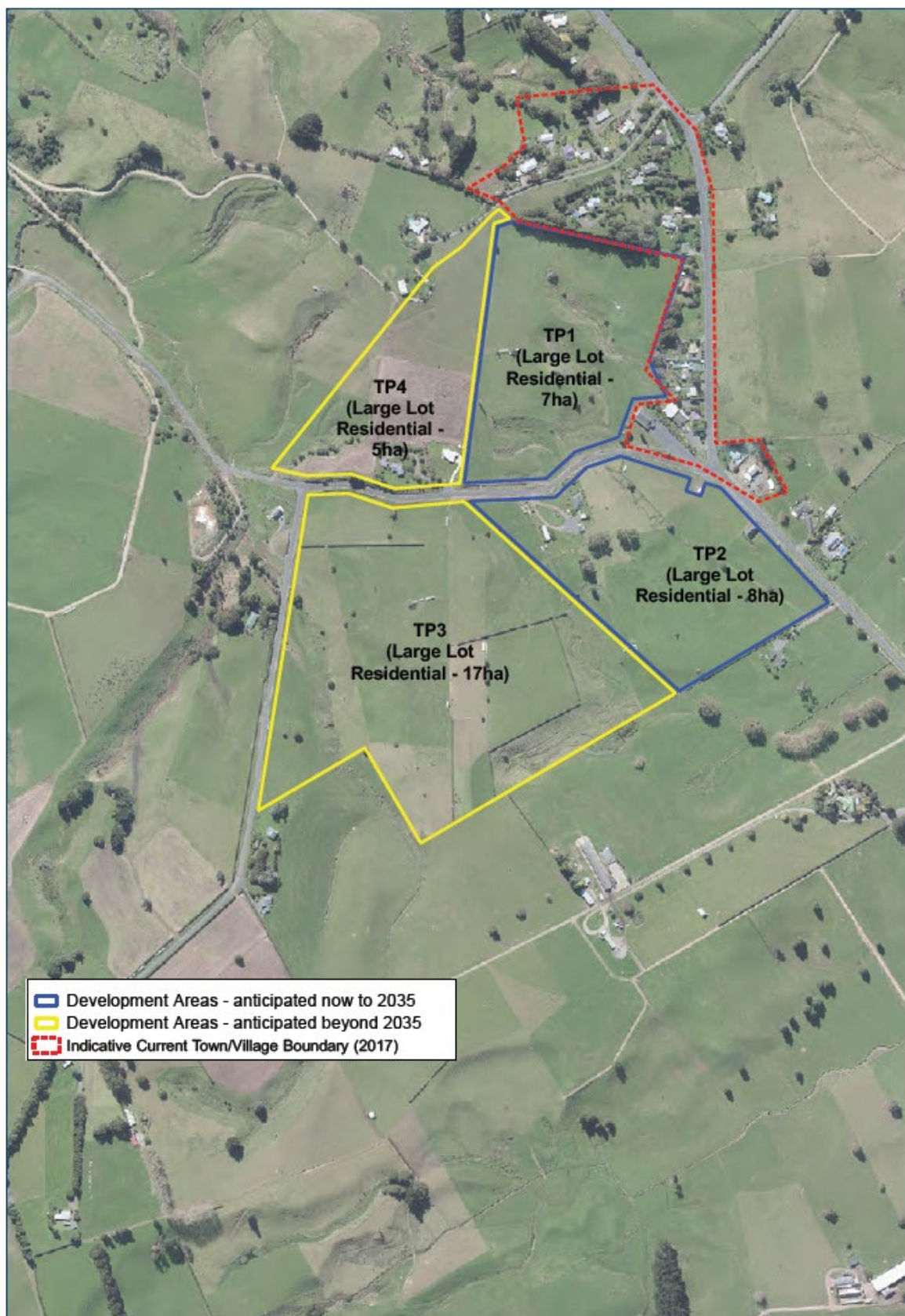
GROWTH CELL	STATUS UPDATE
	area is consented without them and the infrastructure is in a poor state, connections are likely not to be granted.
Bond Road	Zoned for industrial development with approximately 70% of the northern portion developed. There is owner/developer interest in the southern portion as well as 808 and 836 Bond Road. Stormwater design has commenced that will service proposed and existing stormwater catchments as mentioned in T3 comments. Design is now at a point where Council staff agree consents can be applied for.
Paterangi Road	Zoned a mix of live and deferred industrial, no movement on the western portion of this cell.

TE MIRO GROWTH CELLS



GROWTH CELL	STATUS UPDATE
TM1	Zoned Large Lot Residential, this largely undeveloped growth cell is available for development subject to landowner and developer interest.
TM2	Zoned Deferred (post 2035) Large Lot Residential, this undeveloped growth cell is available for development subject to landowner and developer interest.
TM3	Being developed via resource consent, zoned Large Lot Residential.

TE PAHU GROWTH CELLS



GROWTH CELL	STATUS UPDATE
TP1	Zoned Large Lot Residential, this undeveloped growth cell is available for development subject to landowner and developer interest.
TP2	Zoned Large Lot Residential, this largely undeveloped growth cell is available for development subject to landowner and developer interest.
TP3	This Deferred Large Lot Residential zoned growth cell is earmarked for development after 2035.
TP4	This Deferred Large Lot Residential zoned growth cell is earmarked for development after 2035.

APPENDIX 2: CURRENT MAJOR RESOURCE CONSENT APPLICATIONS IN PROCESS

Notes: This list shows the current major/complex applications only.

LODGED & IN PROGRESS (public information)					
No.	Applicant / Agent	Address	Proposal	Status/Key points	Planning Engineering Contacts /
SP/0048/24 & LU/0085/24	Matthias Polzleitner Rad Surveying Limited	558 Tirau Road, Cambridge	Subdivide six titles into 59 lots, along with access lots, roads to vest, an esplanade reserve and a concurrent landuse consent in the Large Lot Residential Zone	On-hold – Request for further information issued.	Hayley Thomas
LU/0077/23	RS Sands Limited Kinetic Environmental Ltd	77 Newcombe Road, Cambridge	Establish and operate a mineral extraction activity (sand quarry)	On-hold – Request for further information requested. A decision on notification is yet to be made.	Todd Whittaker – Planning Works Ltd
LU/0030/23	Arvida Group Ltd Bloxham Burnett & Olliver	151 Maungatautari Road, Cambridge	Establish and operate retirement village consisting of 130 standalone villas and 20 serviced apartments in the Rural Zone	On Hold at Applicant's Request- Decision made that application requires public notification. Applicant yet to confirm to proceed with the notification.	Hayley Thomas
LU/0100/22	Beacon Hill Contracting Mitchell Daysh	599 Oreipunga Road, Cambridge	Unlawfully operating sand Quarry in the Rural Zone	On-hold – Request for further information issued.	Louise Cowan – 4Sight
LU/0323/21	Global Contracting Solutions Limited Terra Consultants	401 Racecourse Road, Te Awamutu 3800	Construct and operate plant to generate power through combustion of refuse derived fuel	Processing- Submission period ended 13 October with 872 submissions received. In a letter dated 15 December 2023, Waikato Regional Council wrote to the Minister for the Environment, Rt. Hon. Penny Simmonds requesting the minister to call-in the application.	Todd Whittaker – Planning Works Ltd

LODGED & IN PROGRESS (public information)					
No.	Applicant / Agent	Address	Proposal	Status/Key points	Planning / Engineering Contacts
				Subsequently, Waipā District Council requested the Minister to call-in the respective Waipā consent on 7 February 2024. The Environmental Protection Authority (EPA) has been requested to provide their advice to the Minister on this request and have sought further information from Council on 19 March 2024, with Council responding on 5 April 2024. The EPA has now provided their advice through to the Minister recommending that the application be called in to the Board of Inquiry. A decision by the Minister is yet to be received.	

APPENDIX 3: BUILDING CONSENTS ISSUED

April 2024												
Project Type	Cambridge	No	Kakepuku	No	Maungatautari	No	Pirongia	No	Te Awamutu	No	Total Value	Total No
Pool	\$110,000	2			\$183,000	2					\$293,000	4
Alterations and Additions	\$300,000	3	\$246,000	1	\$570,000	3					\$1,116,000	7
Dwelling	\$8,688,000	12	\$685,000	1			\$719,000	2	\$1,739,000	5	\$11,831,000	20
Commercial - Industrial	\$1,407,000	5					\$7,404	1	\$1,065,800	4	\$2,480,204	10
Garage	\$37,000	1					\$66,000	1	\$172,000	3	\$275,000	5
Re-Sited Dwelling	\$200,000	1	\$150,000	1	\$50,000	1	\$250,000	1			\$650,000	4
Solid Fuel Heater	\$34,270	4	\$38,600	5	\$20,400	3	\$12,500	2	\$18,000	3	\$123,770	17
Retaining Wall									\$50,000	1	\$50,000	1
Transportable Dwelling	\$1,352,000	5									\$1,352,000	5
Implement Shed			\$72,000	1			\$81,000	1			\$153,000	2
Deck/Pergola							\$48,000	1			\$48,000	1
Fence									\$3,000	1	\$3,000	1
Plumbing/Drainage									\$32,000	1	\$32,000	1
Grand Total	\$12,128,270	33	\$1,191,600	9	\$823,400	9	\$1,183,904	9	\$3,079,800	18	\$18,406,974	78

May 2024												
Project Type	Cambridge	No	Kakepuku	No	Maungatautari	No	Pirongia	No	Te Awamutu	No	Total Value	Total No
Commercial - Industrial	\$8,224,000	9	\$1,100,000	2	\$50,000	1	\$2,100,000	1	\$970,000	2	\$12,444,000	15
Alterations and Additions	\$2,025,000	10	\$30,000	1			\$320,000	2	\$99,500	2	\$2,474,500	15
Transportable Dwelling	\$1,950,000	6									\$1,950,000	6
Dwelling	\$5,075,000	8	\$1,060,000	2	\$3,400,000	3	\$2,350,000	2	\$2,099,000	5	\$13,984,000	20
Pool	\$166,000	2	\$93,000	2	\$80,000	1					\$339,000	5
Re-Sited Dwelling					\$40,000	1			\$12,000	1	\$52,000	2
Plumbing/Drainage	\$13,000	2							\$15,000	1	\$28,000	3
Solid Fuel Heater	\$24,900	4	\$26,200	4	\$19,000	3	\$44,100	7	\$25,500	4	\$139,700	22
Implement Shed	\$135,000	2					\$293,000	3			\$428,000	5
Dairy Shed							\$805,000	1			\$805,000	1
Garage	\$15,000	1					\$223,000	1	\$64,000	1	\$302,000	3
Retaining Wall									\$350,000	1	\$350,000	1
Fence	\$10,000	1									\$10,000	1
Grand Total	\$17,637,900	45	\$2,309,200	11	\$3,589,000	9	\$6,135,100	17	\$3,635,000	17	\$33,306,200	99

June 2024												
Project Type	Cambridge	No	Kakepuku	No	Maungatautari	No	Pirongia	No	Te Awamutu	No	Total Value	Total No
Commercial - Industrial	\$890,000	3							\$180,000	1	\$1,070,000	4
Dwelling	\$7,200,000	7	\$2,184,000	3			\$2,500,000	3	\$2,870,000	3	\$14,754,000	16
Pool	\$120,000	2	\$103,000	1	\$356,000	3			\$100,000	1	\$679,000	7
Alterations and Additions					\$70,000	2	\$420,000	3	\$94,000	4	\$584,000	9
Transportable Dwelling	\$700,000	3									\$700,000	3
Solid Fuel Heater	\$44,600	6	\$10,000	1	\$11,000	1	\$7,400	3			\$73,000	11
Implement Shed					\$45,000	1	\$250,000	1			\$295,000	2
Plumbing/Drainage							\$20,000	1			\$20,000	1
Detached Habitable Building					\$250,000	1					\$250,000	1
Garage	\$30,000	1							\$35,000	1	\$65,000	2
Fence							\$7,250	1			\$7,250	1
Grand Total	\$8,984,600	22	\$2,297,000	5	\$732,000	8	\$3,204,650	12	\$3,279,000	10	\$18,497,250	57

APPENDIX 4: APPLICATIONS DETERMINED BY THE DISTRICT LICENSING COMMITTEE

APPLICANT NAME	ASSOCIATED PREMISES (TRADING NAME)	LICENCE TYPE
CLUB LICENCE		
CAMBRIDGE BOWLING CLUB INCORPORATED	CAMBRIDGE BOWLING CLUB INCORPORATED	Club Renewal
Melville Rugby & Sports club Incorporated	MELVILLE RUGBY & SPORTS CLUB	Club Renewal
OFF LICENCE		
Taylor Street Limited	THE CLUBHOUSE CAFE & SPORTS BAR	Off Licence Renewal
D.S. Padda Family Foods Limited	BIG BARREL	Off Licence Renewal
Thy Merchants Limited	SHAKESPEARE LIQUOR	Off Licence Renewal
The Cocktail Shop Limited	FIRST CLASS COCKTAILS	New Off Licence
ON LICENCE		
Taylor Street Limited	THE CLUBHOUSE CAFE & SPORTS BAR	On Licence Renewal
Cambridge Jockey Club Limited	CAMBRIDGE JOCKEY CLUB	On Licence Renewal
Haven Hospitality Limited	HIDDEN LAKE HOTEL AND APARTMENTS	On Licence Renewal
Profile Farms Limited	THE BOATHOUSE -TAKAPOTO ESTATE	On Licence Renewal
TBE Tamahere Limited	THE NARROWS LANDING	On Licence Renewal
Caryn's NZ Limited	THE CHILLI HOUSE CAMBRIDGE	On Licence Renewal
GL Events Limited	SIR DON ROWLANDS CENTRE	On Licence Renewal
Kaipaki Promotions Limited	MYSTERY CREEK EVENTS CENTRE	On Licence Renewal
Inspiration Valley Limited	INSPIRATION BOULEVARD	New On Licence
SPECIAL LICENCE		
Te Awamutu Rugby Sports and Recreation Club (Incorporated)	TE AWAMUTU RUGBY SPORTS CLUB (Premier Rugby Home Games 2024 Season)	Special Licence
Onyx Restaurant Limited	ONYX (ANZAC Day Breakfast)	Special Licence
Te Awamutu Light Operatic Society	WOOLSHED THEATRE (series of theatre shows)	Special Licence
Cambridge Town Hall Community Trust	CAMBRIDGE TOWN HALL (an evening with Blair Jollands)	Special Licence
Auld Distillery Limited	MYSTERY CREEK NZ NATIONAL FIELDAYS 2024	Special Licence
1919 Distilling Limited	MYSTERY CREEK NZ NATIONAL FIELDAYS 2024 -	Special Licence
5036 Boutique Brews Limited	MYSTERY CREEK NZ NATIONAL FIELDAYS 2024	Special Licence
Arrowtown Distillery Limited	MYSTERY CREEK NZ NATIONAL FIELDAYS 2024	Special Licence
ARWIN Limited	MYSTERY CREEK NZ NATIONAL FIELDAYS 2024	Special Licence
Batch10 Limited	MYSTERY CREEK NZ NATIONAL FIELDAYS 2024	Special Licence

APPLICANT NAME	ASSOCIATED PREMISES (TRADING NAME)	LICENCE TYPE
Cambridge Distillery Company Limited	DON ROWLANDS CENTRE (Waipa Home and Leisure Show)	Special Licence
Cardrona Distillery Limited	MYSTERY CREEK NZ NATIONAL FIELDDAYS 2024	Special Licence
Clean Collective Limited	MYSTERY CREEK NZ NATIONAL FIELDDAYS 2024	Special Licence
Crimson Badger Brewing Limited	MYSTERY CREEK NZ NATIONAL FIELDDAYS 2024	Special Licence
Kate Bicha MANION	TE MIRO HALL (Te Miro Community Quiz)	Special Licence
Lammermoor Distillery Limited	MYSTERY CREEK NZ NATIONAL FIELDDAYS 2024	Special Licence
Metlifecare Retirement Villages Limited	METLIFECARE SAINT ANDREWS (Series of social events)	Special Licence
No8 Fine Spirits Limited	MYSTERY CREEK NZ NATIONAL FIELDDAYS 2024	Special Licence
Pokuru School Board of Trustees	POKURU COMMUNITY HALL (Pokuru's Cowboy Bingo Night)	Special Licence
Remarkable Cream Limited	MYSTERY CREEK NZ NATIONAL FIELDDAYS 2024	Special Licence
Ruahine Ports Limited	MYSTERY CREEK NZ NATIONAL FIELDDAYS 2024	Special Licence
Somerset Brewing Company Limited	MYSTERY CREEK NZ NATIONAL FIELDDAYS 2024	Special Licence
Southern Grains Spirits N.Z. Limited	MYSTERY CREEK NZ NATIONAL FIELDDAYS 2024	Special Licence
Te Awamutu Golf Club Incorporated	TE AWAMUTU GOLF CLUB (Ambrose Tournament)	Special Licence
Te Awamutu Rugby Sports and Recreation Club Incorporated	TE AWAMUTU RUGBY SPORTS CLUB (Te Awamutu Rose Ball)	Special Licence
Te Pahu Hall Society Incorporated	TE PAHU HALL (Fundraising Events)	Special Licence
The Pokeno Whisky Company Limited	MYSTERY CREEK NZ NATIONAL FIELDDAYS 2024	Special Licence
The Spirits Workshop Limited	MYSTERY CREEK NZ NATIONAL FIELDDAYS 2024	Special Licence
Thomson Whisky New Zealand Limited	MYSTERY CREEK NZ NATIONAL FIELDDAYS 2024	Special Licence
Tirau Limited	MYSTERY CREEK NZ NATIONAL FIELDDAYS 2024	Special Licence
Top Up! Limited	MYSTERY CREEK NZ NATIONAL FIELDDAYS 2024	Special Licence
Wilson & Lawrence Limited	MYSTERY CREEK NZ NATIONAL FIELDDAYS 2024	Special Licence
Lammermoor Distillery Limited	MYSTERY CREEK NZ NATIONAL FIELDDAYS 2024	Special Licence
Logans Events Limited	MYSTERY CREEK NZ NATIONAL FIELDDAYS 2024 (National Fieldday's staff wrap up - VIP Event)	Special Licence

APPLICANT NAME	ASSOCIATED PREMISES (TRADING NAME)	LICENCE TYPE
Waipa Workingmens Club Incorporated	WAIPA WORKINGMENS CLUB (Kihikihi Speedway Prize Giving Dinner)	Special Licence
Te Awamutu Golf Club Incorporated	TE AWAMUTU GOLF CLUB (Te Awamutu Medical Centre Quiz)	Special Licence
Cambridge Town Hall Community Trust	CAMBRIDGE TOWN HALL (Woven Concert)	Special Licence
Waipa Workingmens Club Incorporated	WAIPA WORKINGMENS CLUB (Te Awamutu Rowing Club Quiz Night Fundraiser for TA Rowing Club)	Special Licence
Waipa Workingmens Club Incorporated	WAIPA WORKINGMENS CLUB - (TA College Junior Girls Football Quiz Night Fund raiser)	Special Licence
Somerset Brewing Company Limited	National Fieldays Bar & Eatery	Special Licence
Somerset Brewing Company Limited	Little George & Good George Alcohol Service	Special Licence
Cambridge Town Hall Community Trust	CAMBRIDGE TOWN HALL (Festival of Singing)	Special Licence
MANAGERS CERTIFICATE		
OAKES Dianne Joy	COUNTDOWN TE AWAMUTU	Managers Renewal
JOSHI Gaurav	TIEKE BAR AND CAFÉ	Managers Renewal
BOYLE Krystle Nicole	OHAUPO DRINKS STATION	Managers Renewal
SPANBROEK Ruby Alex	PAK N SAVE TE AWAMUTU	Managers Renewal
SUMMAN Parvinder Jit	WAIKATO REGIONAL AIRPORT LOUNGE	Managers Renewal
MACKLOW Genaya Lee	GOOD UNION CAMBRIDGE	Managers Renewal
COSTELLO Ashleigh Janet	WOOLWORTHS TE AWAMUTU	Managers Renewal
MILLER Sandra Denise	THE LILY PAD CAFÉ	Managers Renewal
SINGH Mehakdeep	BLACKBULL LIQUOR CAMBRIDGE	Managers Renewal
BASSETT Samantha Louise	TE AWAMUTU CLUB	Managers Renewal
CAMERON Hester Maria Catharina	FRESHCHOICE LEAMINGTON	Managers Renewal
KAUR Amanpreet	PRINCE ALBERT THE OLDE ENGLISH PUB AND RESTAURANT	Managers Renewal
ARMSTRONG Donna Maree	FRESHCHOICE TE AWAMUTU	Managers Renewal
BREWSTER Adele Karen	REDBERRY SUPERMARKET	Managers Renewal
CHO Jaehyung	PAK N' SAVE TE AWAMUTU	Managers Renewal
FOCAS Karen Bernadette	Tivoli Cinema	Managers Renewal
GILL Navdeep Singh	JOY'S PLACE	Managers Renewal
GITTINGS Bernard William	The Narrows Landing	Managers Renewal
HOLMES Deborah Joan	Ōhaupō Rugby Sports Club	Managers Renewal
HYDE Jane Erica-	WAIKATO REGIONAL AIRPORT LOUNGE	Managers Renewal
KAUR Lakhwinder	TE AWAMUTU & DISTRICT MEMORIAL RSA INCORPORATED	Managers Renewal
KAUR Sarnpri	GROCERY BARN CAMBRIDGE	Managers Renewal

APPLICANT NAME	ASSOCIATED PREMISES (TRADING NAME)	LICENCE TYPE
KENNEDY Grace Litia	PAK N SAVE	Managers Renewal
LEIBA Hayley Jade	FIVE STAGS LEAMINGTON	Managers Renewal
Man Yee Fion NG	HONG KONG DATE	Managers Renewal
ROWE Linda Eva	Melville Rugby and Sports Club	Managers Renewal
SMITH Tiana Jaylen	PROPELLER AIRPORT CAFÉ	Managers Renewal
VAN ROOYEN Daniel Paul	WOOLWORTHS TE AWAMUTU	Managers Renewal
LINCOLN Ann Patricia	Pak n Save	Managers Renewal
SINGH Jasbir	INDIAN PALACE RESTAURANT	Managers Renewal
JOHNSON Eric	BIG BARREL TE AWAMUTU	Managers Renewal
BARNETT David John	KIHIKIHI BOWLING CLUB	Managers Renewal
WEBSTER Brent David	Henley Hotel	Managers Renewal
DEMPSEY Alexei George	SUPER LIQUOR TE AWAMUTU	Managers Renewal
MORRISON Kate Allie	Takapoto Estate	Managers Renewal
BURTON Gary Phillip	SUPER LIQUOR CAMBRIDGE	Managers Renewal
GOLLEDGE Brent Stacey	WOOLWORTHS TE AWAMUTU	Managers Renewal
QUILLA Rachel Matas	HIDDEN LAKE HOTEL AND APARTMENTS	Managers Renewal
MEDIO Julia Marie Sabanal	THE COFFEE CLUB - CAMBRIDGE	Managers Renewal
SCOTT Rachel Mariah	MIGHTY RIVER DOMAIN	Managers Renewal
RENDELL William Mark	THE CAMBRIDGE DISTILLERY COMPANY LIMITED	New Manager
RIGTER Erica Josephine	WAIKATO REGIONAL AIRPORT LOUNGE	New Manager
ROGERS Caitlin Rachel	STAR TAVERN	New Manager
SINGH Jasman	LIQUORLAND CAMBRIDGE	New Manager
SINGH Taran Deep	REDOUBT BAR & EATERY TE AWAMUTU	New Manager
FILIPO Christopher B T	AIR NEW ZEALAND REGIONAL LOUNGE	New Manager
MANN Narinder Singh	PEACH & PORKER	New Manager
POINTON Ethan Fletcher	GOOD UNION	New Manager
WHAREHOKA Jordon Rex Paul	NEW WORLD CAMBRIDGE	New Manager
BARTOSIAK Nicholas John	TE AWAMUTU BOWLING CLUB	New Manager
GITTINGS Rhys William	TE AWAMUTU MARIST INCORPORATED	New Manager
SINGH Rajandeep	ROYAL CAMBRIDGE INDIAN RESTAURANT	New Manager
KACHAKAYALA Dasharath	ONYX RESTAURANT CAMBRIDGE	New Manager
MELLIS Tracy	TE AWA LIFE CARE VILLAGE	New Manager
BARDSLEY Kenneth Thomas	PIRONGIA GOLF CLUB	New Manager
BURTON Laurelle Kerry	JOE'S GARAGE CAMBRIDGE	New Manager
CROWCOMBE Joanna Louise Maria	ALPHA STREET KITCHEN & BAR	New Manager
GUY Sarah Emily	FOUR SQUARE PIRONGIA	New Manager
HUNTER Deborah Ava	NEW WORLD CAMBRIDGE	New Manager
LONGMAN Jade Kay	FOUR SQUARE PIRONGIA	New Manager

APPLICANT NAME	ASSOCIATED PREMISES (TRADING NAME)	LICENCE TYPE
OVERWATER Catherine Jean	AIR NEW ZEALAND REGIONAL LOUNGE	New Manager
TAIA James Levi Rawhir	COUNTDOWN CAMBRIDGE	New Manager
FROST Sarah Rose	SUPER LIQUOR TE AWAMUTU	New Manager
FISCHER Teresa Leah	PAK N SAVE TE AWAMUTU	New Manager
MURPHY Vicky Anne	TE AWAMUTU & DISTRICT RSA INCORPORATED	New Manager
RIKHI Avi Kumar	STALLIONS	New Manager
LAMB Andrew James	WOOLWORTHS TE AWAMUTU	New Manager
MONKLEY Grier Sharon Presling	GOOD UNION CAMBRIDGE	New Manager
LEGGE Robyn	NEW WORLD CAMBRIDGE	New Manager
NANDA Manish Kumar	LIQUOR CENTRE LEAMINGTON	New Manager
MABEY Megan Cherie	FIVE STAGS LEAMINGTON	New Manager
ANSELM Harriet Eleanor May	TAKAPOTO ESTATE	New Manager
SIDHU Manpreet Singh	LIQUOR CENTRE LEAMINGTON	New Manager
HALLIDAY Susan Jane	CAMBRIDGE RACQUETS CLUB	New Manager
BROWN Shannon Marie	THE COFFEE CLUB CAMBRIDGE	New Manager

TEMPORARY AUTHORITY		
BBLQ Cambridge Limited	BLACKBULL LIQUOR CAMBRIDGE	Temporary Authority
Rivercity Enterprises Limited	LIQUOR SPOT CAMBRIDGE	2nd Temporary Authority

APPENDIX 5: QUARTERLY STATISTICS

	1 Jul - 30 Sep	1 Oct - 31 Dec	1 Jan - 31 Mar	1 Apr - 30 Jun	Total
Resource consents					
Number of complaints	6	3	2	13	24
Number of compliance investigations	6	3	3	13	25
Number of breaches detected	1	0	1	3	5
Number of abatement notices issued	0	0	2	0	2
Number of infringement notices issued	1	0	0	0	1
Number of warning letters issued	5	0	0	3	8
District Plan					
Number of complaints	145	108	78	88	419
Number of compliance investigations	145	108	78	88	419
Number of breaches detected	12	17	15	11	55
Number of abatement notices issued	1	0	0	0	1
Number of infringement notices issued	1	0	0	0	1
Number of warning letters issued	11	17	15	11	54
Bylaw – vehicle parking					
Parking complaints	107	124	89	128	448
Infringement tickets	408	489	437	517	1851
Warning letters	7	12	85	17	121
Bylaw – illegal dumping					
Dumping complaints	27	35	30	22	114
Infringement notices	20	11	7	12	50
Warning letters	0	0	0	0	0
Bylaw – trees overhanging footpath					
Tree complaints	6	26	19	8	59
Warning letters	6	19	12	4	41
Bylaw – long grass (fire hazard)					
Long grass complaints	0	0	0	0	0
Warning letters	0	0	0	0	0
Resource Management Act / Bylaw – signs					
Illegal signs removed	0	0	0	0	0

Report to Strategic Planning and Policy Committee – 6 August 2024
District Growth Quarterly Report - 1 April to 30 June 2024

		1 Jul - 30 Sep	1 Oct – 31 Dec	1 Jan – 31 Mar	1 Apr – 30 Jun	Total
Noise						
Excessive noise complaints	Total (all wards)	101	239	203	120	663
	Cambridge	36	101	87	64	288
	Maungatautari	1	3	16	4	24
	Pirongia and Kakepuku	3	14	8	6	31
	Te Awamutu & Kihikihi	61	121	92	46	320
Unreasonable noise complaints		20	28	14	24	86
Abatement notices issued		0	0	0	0	0
Infringement notices issued		0	0	0	0	0
Written noise directives issued		9	14	35	19	77
Verbal noise directives issued		7	38	16	6	67
Stereo equipment seizures		1	1	1	0	3
Bylaw – fire and smoke						
Fire and smoke complaints		7	12	16	18	53
Bylaw – other nuisance complaints						
Nuisance complaints		19	38	44	22	123
Animal control						
Total complaints and requests for service		996	680	675	929	3280
Aggression complaints		16	13	12	8	49
Attack or bite on animal		13	12	14	13	52
Attack or bite on child		4	1	1	0	6
Attack or bite on adult		5	5	2	5	17
Barking		93	110	142	138	483
Breach of bylaw	Dog off lead	4	4	8	5	21
	Fouling in public place	1	0	3	0	4
	Dog in prohibited area	0	0	2	4	6
	Multi dogs on property	0	1	0	1	2
	Aggression at boundary	0	0	0	0	0
Bin or sign requests / maintenance		10	10	8	10	38
Classified Dogs – non-complying		0	0	0	0	0
Rushing in public		10	11	4	9	34
Dog worrying stock		3	0	0	2	5

	1 Jul - 30 Sep	1 Oct – 31 Dec	1 Jan – 31 Mar	1 Apr – 30 Jun	Total
General info / admin	593	266	225	473	1557
Lost / found dog notifications	56	53	55	48	212
Welfare	6	6	12	11	35
Unregistered	7	10	3	2	22
Wandering	150	162	169	181	662
Stock on roads / trespassing / lost	18	15	12	16	61
Stock - other (e.g. Welfare of stock)	7	1	3	3	14
Animal control – Dogs					
Registered (total)	9101	9342	9414	9390	9390
Un-registered (total)	459	323	263	222	222
Impounded	54	47	65	51	217
Re-homed ¹	13	5	13	3	34
Claimed ¹	38	36	38	34	146
Euthanased ¹	3	6	14	4	27
Stolen / escaped	0	0	0	0	0
In pound / foster care at end of quarter (total)	2	6	7	10	10
Menacing dog classification (total)	137	137	129	124	124
Dangerous dog classification (total)	8	7	7	5	5
Infringement notices issued	14	14	5	10	43
Food and health premises					
Food / premises complaints	8	5	2	7	22
Registered food control plans (total)	235	238	241	238	238
Registered national programs (total)	90	94	94	92	92
Outstanding food and health premises registrations / inspection fees (total)	16	9	25	54	54
Food Act audits	43	67	60	89	259
Non-compliances	3	3	1	12	19
Infringements	0	0	0	1	1
Improvement/other notices	0	0	0	2	2
Registered health premises (total)	76	78	79	77	77

¹ Provisional figures pending outcome of dogs currently impounded.

	1 Jul - 30 Sep	1 Oct – 31 Dec	1 Jan – 31 Mar	1 Apr – 30 Jun	Total
Health premises inspections	16	34	2	1	53
Alcohol licensing					
Licensed premises complaints	1	3	0	2	6
Premises visits (excluding CPO)	4	22	4	26	56
Controlled purchase operations (CPO) ^{1F²}					
- Premises visited	11	31	0	23	65
- Premises with breaches detected (selling alcohol to minors)	0	4	1	0	5
Check food availability operation ^{2F³}					
- Premises visited	4	22	4	26	56
- Premises with breaches detected	0	1	0	0	1
Number of current on-licences (total)	74	75	77	76	76
Number of current off-licences (total)	38	37	38	38	38
Number of current club licenses (total)	29	29	28	28	28
Number of current BYO (total)	1	1	1	1	1

² Operations in conjunction or undertaken by NZ Police and/or DHB.

³ Operations in conjunction or undertaken by DHB.

APPENDIX 6: YEAR ON YEAR STATISTICS (AS AT 30 JUNE 2024)

	2019/20	2020/21	2021/22	2022/23	2023/24
Resource consents					
Number of complaints	97	122	54	56	24
Number of compliance investigations	140	122	54	56	25
Number of breaches detected	31	24	12	9	5
Number of abatement notices issued	0	1	0	2	2
Number of infringement notices issued	0	0	0	0	1
Number of warning letters issued	22	24	12	18	8
District Plan					
Number of complaints	348	351	373	364	419
Number of compliance investigations	348	351	373	364	419
Number of breaches detected	92	53	81	71	55
Number of abatement notices issued	1	2	3	3	1
Number of infringement notices issued	0	0	0	0	1
Number of warning letters issued	70	53	81	70	54
Bylaw – vehicle parking					
Parking complaints	244	252	290	289	448
Infringement tickets	90	541	336	569	1851
Warning letters	80	115	64	0	121
Bylaw – illegal dumping					
Dumping complaints	241	155	108	94	114
Infringement notices	2	21	12	35	50
Warning letters	0	0	0	0	0
Bylaw – trees overhanging footpath					
Tree complaints	71	26	21	30	59
Warning letters	60	13	21	30	41
Bylaw – long grass (fire hazard)					
Long grass complaints	32	0	0	0	0
Warning letters	32	0	0	0	0
Resource Management Act / Bylaw – signs					
Illegal signs removed	0	0	0	0	0

		2019/20	2020/21	2021/22	2022/23	2023/24
Noise						
Excessive noise complaints	Total (all wards)	753	689	747	714	663
	Cambridge & Maungatautari	330	318	325	384	312
	Te Awamutu & Kihikihi	362	341	421	322	320
	Pirongia & Kakepuku	61	31	2	8	31
Unreasonable noise complaints		89	86	106	102	86
Abatement notices issued		0	0	1	0	0
Infringement notices issued		0	0	0	0	0
Written noise directives issued		119	110	97	116	77
Verbal noise directives issued		111	73	156	86	67
Stereo equipment seizures		4	2	5	3	3
Bylaw – fire and smoke						
Fire and smoke complaints		72	88	55	50	53
Bylaw – other nuisance complaints						
Nuisance complaints		83	59	58	39	123
Animal control						
Total complaints and requests for service		3733	3412	3288	3504	3280
Aggression complaints		48	52	53	48	49
Attack or bite on animal		57	53	41	44	52
Attack or bite on child		2	2	4	1	6
Attack or bite on adult		29	16	18	24	17
Barking		392	369	333	377	483
Breach of bylaw	Dog off lead	15	17	13	19	21
	Fouling in public place	3	2	3	5	4
	Dog in prohibited area	2	1	6	4	6
	Multi dogs on property	2	1	3	6	2
	Aggression at boundary	N/A	2	0	0	0
Bin or sign requests / maintenance		21	24	65	180	38
Classified dogs – non-complying		N/A	1	3	0	0
Rushing in public		37	43	36	41	34

	2019/20	2020/21	2021/22	2022/23	2023/24
Dog worrying stock	9	6	9	7	5
General info / admin	1912	1758	1703	1712	1557
Lost / found dog notifications	249	201	228	219	212
Welfare of Dogs	41	52	28	52	35
Unregistered	38	39	17	19	22
Wandering	767	695	621	676	662
Stock on roads / trespassing / welfare	124	76	97	69	61
Stock – other (e.g. Welfare)	0	3	7	6	14
Animal control – Dogs					
Registered (total)	8529	8860	9177	9426	9390
Un-registered (total)	190	123	115	99	222
Impounded	293	224	247	273	217
Re-homed	24	26	43	39	34
Claimed	236	177	182	206	146
Euthanized	27	20	22	28	27
Stolen / escaped	6	1	0	0	0
In pound / foster care at end of year	1	0	3	7	10
Menacing dog classification (total)	118	135	134	139	124
Dangerous dog classification (total)	5	7	5	8	5
Infringement notices issued	103	160	162	137	43
Food and health premises					
Food / premises complaints	24	13	18	16	22
Registered food control plans (total)	242	236	231	232	238
Registered national programs (total)	52	81	82	87	92
Outstanding food and health premises registrations / inspection fees (total)	1	62	27	12	54
Food Act audits	151	204	85	193	259
Non-compliances	0	10	1	6	19
Infringements	1	0	0	0	1
Improvement notices	8	0	1	1	2
Registered health premises	81	79	217	77	77
Health premises inspections	16	20	5	14	53

	2019/20	2020/21	2021/22	2022/23	2023/24
Alcohol licensing					
Licensed premises complaints	N/A	7	8	6	6
Premises visits (excluding CPO)	N/A	69	28	175	56
Controlled purchase operations (CPO)					
- premises visited	13	24	20	80	65
- premises with breaches detected (selling alcohol to minors)	4	6	2	3	5
Food availability operators					
- Premises visited	0	0	0	3	56
- Premises with breaches detected	0	0	0	0	1
Number of current on-licences	74	71	75	73	76
Number of current off-licences	32	31	35	38	38
Number of current club licenses	31	30	29	29	28
Number of current BYO	0	0	0	1	1

APPENDIX 7

Submission to Waikato Regional Council – Long Term Plan 2024-2034 [*ECM Number 11211833*]

Submission

Proposed Waikato Regional Council 2024-2034 Long Term Plan



Waipā District Council Submission on the Proposed Waikato Regional Council 2024-2034 Long Term Plan

By: Waipā District Council

Introduction

Waipā District Council (the Council) welcomes the opportunity provided by the Waikato Regional Council (the Regional Council) to provide a submission on its proposed 2024-2034 Long Term Plan.

The Council is appreciative that representatives of the Regional Council made the effort to present the key topics of consultation in their proposed 2024-2034 Long Term Plan to an elected members' workshop on 27 March 2024.

The Council appreciates the wish of the Regional Council to keep rates at an affordable level while not shying away from some of the big challenges the region faces in its proposed 2024-2034 Long Term Plan.

The Council has reviewed the five topic areas that the Regional Council is seeking feedback on has and the following comments to make.

At a Council meeting held on 30 April 2024, approval was granted for the submission to be lodged with the Regional Council and noted it wished to speak to it's submission when hearings on submissions are held.

1. Specific Comments

Simplifying public transport investments

As a territorial local authority and transport partner to the implementation of the Waikato Regional Public Transport Plan, the Council is committed to supporting improvements to ensure better public transport outcomes for our communities. We note the following submission points below:

Question 1 Support for Waikato Regional Council rating for public transport services across the region

The Council recognises that the current rating system for public transport services is too fragmented. The Regional Council rates some areas for public transport services and other areas (including Waipā District Council) use general rates.

Waipā District Council submission on the Proposed Waikato Regional Council 2024-2034 Long Term Plan

Document no. 11211833

The Council supports the proposal for the Regional Council to move to rating for public transport services across the region (including Waipā District) to enable a dedicated fund for public transport. We understand that if approved, this change would come into effect from Year 2 (1 July 2025).

If implemented as proposed the new model would mean that Waipā District Council would no longer be required to rate for public transport services and that the total rates would remain the same.

The Council supports this proposal to improve efficiencies in planning and the administration of services, while enabling fairer cost sharing based on the proximity of services, and bus services to respond more efficiently to the needs and demands of our growing communities.

Question 2 Support for rating Option 1

The Council supports the preferred option (Option 1) to focus on those users within defined 'metro' areas (within 5km of a bus route) and where services are planned to cater for future growth with increased frequencies and services within the Hamilton-Waikato Metro Spatial area.

The Council recognises that Option A proposes 80% funding from a defined 'metro' area (5km of a bus route) and 20% from a district wide funding contribution. If this option is progressed, Council would appreciate understanding the investments required, the extent of the new 'metro' area and any implications for the Council and its residents. It is understood that this detailed work will be completed prior to proposed implementation from year 2 (2025).

The Council questions the rating method used for the public transport options proposed and the basis of using a capital value rating (per \$100,000 CV). The Council would like the Regional Council to consider alternative funding models available to more equitably distribute the financial costs amongst users of public transport services.

Additional Comments

The Waipā district is seeing strong growth in both bus and total mobility patronage with current patronage ahead of the record numbers last financial year. As of February 2024, bus patronage was up 17% and total mobility use was up 64% from the previous year (2022). Council would like to request an increase in community transport funding to enable growth in supporting total mobility services. For example: Te Awamutu Health Services which is seeing strong demand and growth for services within this area with constrained funding budgets.

Other feedback

Golden Clams

The Council notes that the Ministry for Primary Industries is working to restrict the spread of Golden Clams in the Waikato River catchment and considering trialling control methods.

Waipā District Council submission on the Proposed Waikato Regional Council 2024-2034 Long Term Plan

Document no. 11211833

Hornwort

The Council would appreciate the Regional Council continuing to contribute funding to the annual spraying of the water weed Hornwort in Lake Karapiro. While it may be considered more of a recreational hazard than a biohazard by the Regional Council, the weed is an acknowledged threat to water takes for irrigation and so therefore can have an adverse effect on agricultural production.



TE AWAMUTU - HEAD OFFICE

101 Bank Street, Private Bag 2402, Te Awamutu Ph 07 872 0030

CAMBRIDGE - SERVICE CENTRE

23 Wilson Street, Cambridge Ph 07 823 3800

[f/Waipadistrictcouncil](#) [@/Waipa_NZ](#) [t/Waipas_DC](#)

Waipā District Council submission on the Proposed Waikato Regional Council 2024-2034 Long Term Plan

Document no. 11211833

APPENDIX 8

Submission to Fire and Emergency New Zealand Consultation on the 2024-2026 Levy [*ECM Number 11226957*]

Submission

**Fire and Emergency Consultation Document on the
2026-2029 Levy**

17 May 2024

Waipā District Council Submission on the Fire and Emergency Consultation Document on the 2026-2029 Levy

By: Waipā District Council

17 May 2024

Introduction

Waipā District Council (the Council) welcomes the opportunity provided by Fire and Emergency New Zealand on their consultation document on proposals for the 2026-2029 Fire and Emergency levy.

The Waipā District Council is responsible for a compact and economically productive district south of Hamilton City and strategically positioned in the corridor between Auckland and Tauranga. The district forms part of the high population growth Future Proof Subregion and comprises a mix of rural and urban communities and environments.

1. General Comments

Waipā District Council (the Council) supports the four main proposals in consultation document regarding sector changes to achieve a fairer distribution between income contributions received and costs of the services provided.

The Council understands that the proposed 5.2% levy increase for the 2026-2029 period, would ensure Fire and Emergency has sufficient revenue to operate as planned and enable investment in their infrastructure without using up their cash reserves. Also, that the levy increase would maintain the existing level of service provided by Fire and Emergency.

The Council notes that the Government has decided that various categories of property are no longer exempt from the levy that will affect Council property, such as forests, walls, swimming pools, water tanks, septic tanks, water reticulation pipes and all transport infrastructure (wastewater and storm water infrastructure is not included).

The Council understand that Fire and Emergency are often one of the first agencies to respond to emergencies and that they anticipate an expanded support role to local communities in natural disasters and major weather events (such as Cyclone Gabriele in 2023).

2. Specific comments

Uncertainty of the cost implications for the Council due to the proposed levy increase and changes in the property exemptions

- 2.1 Council vehicle insurance** – The consultation document says (page 20) that the levy change will reduce the levy collected for commercial vehicles and increase it for domestic vehicles. While the Council supports having a fairer allocation of the levy to better reflect costs, it notes that the proposed \$40.12 flat rate for each vehicle for the levy period 1 July 2026 to 30 June 2029, will result in an approximate annual \$10,000 cost increase for the Council.
- 2.2 Council property insurance** – the consultation document says (page 29) that it is proposing to reduce the levy on non-residential property insurance from 11.95 cents to 11.51 cents per \$100 of the insurance amount.

Against this levy reduction there is the separate Government decision to impose the levy on property insurance previously exempt from the levy. Although not fully determined at this stage, the inclusion of the new property classes is expected to result in an estimated annual \$1,900 cost increase for the Council.

Emergency Management

- 2.3 Changes in the Activities of Fire and Emergency New Zealand** - The Council notes that the Government is proposing to introduce new Emergency Management legislation in this term. The new legislation will respond with changes due to learnings from the severe weather events in 2023 and the subsequent central and local government reviews.

It will be important that Fire and Emergency New Zealand factor in these changes to Emergency Management legislation in considering changes to its activities and the critical role it plays in major community wide emergencies.



TE AWAMUTU - HEAD OFFICE

101 Bank Street, Private Bag 2402, Te Awamutu Ph 07 872 0030

CAMBRIDGE - SERVICE CENTRE

23 Wilson Street, Cambridge Ph 07 823 3800

📞 /WaipaDistrictCouncil 📷 /Waipa_NZ 📍 /Waipa_DC

APPENDIX 9

Going for Housing Growth – Stage One Unveiled [*ECM Number 11270718*]

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4 JULY 2024

Going for Housing Growth stage one unveiled



[HON CHRIS BISHOP\(/MINISTER/HON-CHRIS-BISHOP\)](#)

[Housing \(/portfolio/nationalactnew-zealand-first-coalition-government-2023-2026/housing\)](#)

The Government will establish ambitious new housing growth targets for New Zealand's cities, while taking steps to make it easier to expand both up and out, says Housing and Resource Management Act (RMA) Reform Minister Chris Bishop.

“Our Going for Housing Growth policy focuses on the fundamentals that have led to unaffordable housing for New Zealanders. Our programme of reform involves freeing up land for development and removing unnecessary planning barriers, improving infrastructure funding and financing, and providing incentives for communities and councils to support growth.

“Housing in New Zealand is too expensive, because we have made it very difficult for our cities to grow. Fixing our housing crisis will improve our economy, increase productivity, help get the government's books back in order by reducing the enormous fiscal cost to the government, improve intergenerational equity, and decrease material hardship.”

“This morning I've laid out six changes the government will progress to free up land for development, which is pillar one of the Going for Housing Growth Plan. A Housing Expert Advisory Group of urban experts and economists have helped put the package together.

“These changes give effect to the Government's Quarter Two Action Plan commitment as well as the National/ACT Coalition commitment to make the medium density residential standards (MDRS) optional for councils whilst requiring ratification of their use.

The changes are:

1. The establishment of Housing Growth Targets for Tier 1 and 2 councils
2. New rules requiring cities to be allowed to expand outwards at the urban fringe
3. A strengthening of the intensification provisions in the National Policy Statement on Urban Development (NPS-UD)
4. New rules requiring councils to enable mixed-use developments in our cities.
5. The abolition of minimum floor area and balcony requirements
6. New provisions making the MDRS optional for councils

“New Housing Growth Targets will be set for all existing Tier 1 and 2 councils. The councils will be required to “live-zone” feasible development capacity to provide for at least 30 years of housing demand at any one time, a big step forward from the current requirement to ‘live-zone’ feasible development capacity to meet just three years of demand at any one time. This will ensure abundant development opportunities in our key urban areas. The government will also strengthen the requirements and guidance for how councils model how much capacity is live-zoned and feasible, and require that price indicators (such as urban fringe land price differentials) do not deteriorate over time.

“The Government rejects the view that cities can only grow outwards, as well as the view that density is the answer to everything. The government will make it easier to build new houses in existing urban areas, as well as work towards establishing an effective “right to build” new houses on city fringes, provided the infrastructure costs of new development are covered and growth pays for growth. Strengthened long-term spatial planning and other changes will support this, and result in the abolition of the Rural-Urban Boundary as a planning instrument in Auckland, and similar approaches elsewhere.

“We will also significantly strengthen the existing NPS-UD to ensure that housing capacity is enabled in locations where there is demand and that are well-connected to businesses, services, and transportation. We will require greater density around strategic transport corridors not just rapid transit, simplify the definition of “rapid transit” to avoid further boring and interminable debates about what counts as “rapid transit”, clarify the definition of “walkable catchments” in the context of centre zones and rapid transit, and clarify the rules around unlisted “qualifying matters” which allow councils to avoid enabling intensification.

“As I’ve said for some time, I’m keen to see more mixed-use development in our cities, which will make them more liveable and connected. We will require Tier 1 and 2 councils to enable a baseline level of mixed-use across their urban areas, which might include, for example, allowing small-scale activities such as dairies and cafes to operate anywhere within urban areas. We will also require Tier 1 councils to enable small-to-mid-scale activities like cafes and restaurants, retail, metro-style supermarkets and offices in areas subject to the NPS-UD’s six storey (or greater) intensification requirements.

“The government will also be abolishing minimum floor areas and balcony requirements. These requirements, imposed by some councils, can significantly increase the cost of new apartments, and limit the supply of lower cost apartments. Evidence from 2015 shows that in the Auckland market,

balcony size requirements increased the costs of an apartment by \$40,000 to \$70,000 per unit.

“Finally, we will also be making the MDRS optional. This is legally tricky as the MDRS were passed into law in 2021 and councils are implementing them at the same time as NPS-UD requirements. Different councils are at different stages and eight of the relevant 15 councils have already completed plan changes.

“The Government will legislate to require that all councils currently required to implement the MDRS must carry out a ratification vote to determine whether they plan to retain, alter, or remove the MDRS from their urban areas. Decisions to alter or remove the MDRS will trigger a plan change to give effect to this. However, all councils will be required to give effect to relevant Housing Growth Targets as well as the other changes outlined above. The precise legal mechanisms for each council may well vary and we will work that through in the coming months.

“The changes I’ve outlined today are just the start. There’s a lot to do on our infrastructure funding and financing system as well as incentives for growth and I’ll have more to say in the coming months.” Solving our housing crisis will mean a more productive, wealthier and better New Zealand and today’s announcements are a step on the journey.”

Note to Editors:

Three fact sheets are attached.

Related Documents

 [Factsheet 1 - Going for Housing Growth at a glance](https://www.beehive.govt.nz/sites/default/files/2024-07/Factsheet%201%20-%20Going%20for%20Housing%20Growth%20at%20a%20glance.pdf) (https://www.beehive.govt.nz/sites/default/files/2024-07/Factsheet%201%20-%20Going%20for%20Housing%20Growth%20at%20a%20glance.pdf)
(149.05 KB)

 [Factsheet 2 - Detailed information](https://www.beehive.govt.nz/sites/default/files/2024-07/Factsheet%202%20-%20Detailed%20information%20.pdf) (https://www.beehive.govt.nz/sites/default/files/2024-07/Factsheet%202%20-%20Detailed%20information%20.pdf)
(234.27 KB)

 [Factsheet 3 - Council processes](https://www.beehive.govt.nz/sites/default/files/2024-07/Factsheet%203%20-%20Council%20processes.pdf) (https://www.beehive.govt.nz/sites/default/files/2024-07/Factsheet%203%20-%20Council%20processes.pdf)
(174.97 KB)

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Te Kāwanatanga o Aotearoa New Zealand Government

APPENDIX 10

FACTSHEET 1: Going for Housing Growth at a Glance [*ECM Number 11260825*]



Factsheet: Going for Housing Growth at a glance

The Going for Housing Growth (GfHG) programme will enable more homes to be built.

The programme involves three pillars designed to improve affordability and address the underlying causes of the housing supply shortage. This is about giving councils choice, while providing for future growth. The pillars are:

1. Freeing up land for urban development, including removing unnecessary planning barriers

2. Improving infrastructure funding and financing to support urban growth

3. Providing incentives for communities and councils to support growth

The Government has made decisions in relation to pillar 1. These changes will be implemented through amendments to the Resource Management Act and the National Policy Statement on Urban Development, with the requirements expected to be in place by mid-2025. Formal consultation on the detailed design of changes will occur in early 2025.

Decisions on pillars 2 and 3 will be made over the course of the next year. These will give councils more tools to support the delivery of pillar 1.

Introducing Housing Growth Targets

- New Housing Growth Targets introduced for Tier 1 and 2 councils, requiring them to enable 30 years of feasible housing capacity in their district plans, using 'high' population growth projections.
- New requirement that 'price indicators' (such as the difference in the price between land zoned for rural and urban use) do not deteriorate over time.
- New central government tools to monitor council compliance and a mandate to take action where there is unjustified non-compliance.

Enabling greenfield growth

- Councils prohibited from imposing rural-urban boundary lines in planning documents (but can still have rurally zoned land).
- Government investigating options to require councils to plan for 50 years of growth (up from 30) and be more responsive to private plan changes.

Intensification in the right places

- Tier 1 councils must enable appropriate levels of density across their urban areas, having regard to demand and access to different services.
- Tier 1 councils must deliver housing intensification along 'strategic transport corridors' (e.g. key bus routes).
- Tier 1 councils must directly offset any housing capacity lost due to reasons such as 'special character' elsewhere.

Mixed-use development

- Tier 1 and 2 councils must enable activities such as cafes, dairies, and other retail across their urban areas, and especially in areas where Tier 1 councils are required to enable six or more storey developments.
- Industrial-type activities can still be kept away from housing.

Balconies and floor area requirements

- Councils cannot set minimum floor area requirements for apartments and other houses, or require balconies.
- Developers can still choose to provide balconies and size dwellings in line with demand from buyers.

Making the Medium Density Residential Standards (MDRS) optional

- Currently, under the MDRS, Tier 1 councils are required to enable up to three houses of up to three storeys without a resource consent.
- The MDRS will become optional for councils, once they have demonstrated compliance with their Housing Growth Target.
- Customised requirements for councils that haven't completed current plan change processes (see separate factsheet).



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Factsheet: New requirements for councils

The Government has made decisions aimed at freeing up land for housing and removing unnecessary planning barriers.

The supporting policies will be progressed through a Resource Management Amendment Bill and national direction process. Formal consultation on the detailed design of these changes will occur in early 2025. Councils are at different stages of implementing current requirements, covered in a separate factsheet.

Current requirements and key changes

POLICY	CURRENT REQUIREMENTS	KEY CHANGES
Housing Growth Targets	Currently, the National Policy Statement - Urban Development (NPS-UD) requires councils to plan for 30 years of housing demand. Capacity is considered 'plan-enabled' if: - In the short term (0-3 years), it is on land that is zoned for housing in an <u>operative district plan</u>; - In the medium term (3-10 years), either the above applies, or it is on land that is zoned for housing in a <u>proposed district plan</u>; - In the long term (10-30 years), either the above applies, or it is on land identified by the local authority for use in a <u>Future Development Strategy</u> or equivalent Development capacity must also be infrastructure ready. Development capacity is infrastructure-ready if: - In the short term (0-3 years), there is <u>adequate existing infrastructure</u> to support land development for housing; - In the medium term (3-10 years), either the above applies, or funding for adequate infrastructure to support land development for housing is identified in a <u>long-term plan</u>; - in the long term (10-30 years), either the above applies, or infrastructure to support land development for housing is identified in a council's <u>infrastructure strategy</u>.	Tier 1 and 2 councils will need to zone for at least <u>30</u> years of housing demand, rather than a minimum of <u>3</u> years. A wider range of funding sources can be used to meet medium-term infrastructure requirements including a levy under the Infrastructure Funding and Financing Act 2020, a development agreement, or through central government funding streams. New prescriptive rules and guidance will be set for how councils calculate how much housing capacity they need (e.g. requiring councils to use 'high' demand projections). New requirements that price indicators (such as urban fringe land price differentials) do not deteriorate (and ideally improve) over time.
Enabling greenfield growth	Tier 1 and 2 councils must prepare Future Development Strategies (FDS), which are required to spatially identify locations where growth can occur in the future, the infrastructure required to service that growth, and any constraints on development, over a 30 year time period. Councils are required to be responsive to private plan change proposals that would provide significant development capacity	Ministry officials are exploring options to improve FDSs (such as requiring councils to plan for growth over a <u>50</u> year, rather than <u>30</u> year time period). Officials are also looking at strengthening the responsiveness policy in the NPS-UD, to better support developers to progress private plan changes.



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POLICY	CURRENT REQUIREMENTS	KEY CHANGES
	would contribute to a well-functioning urban environment.	Councils won't be able to impose a rural-urban boundary line (or equivalent) in a plan (they can still have rurally zoned land).
Intensification in the right places	Tier 1 councils are required to allow: - In city centre zones: Building heights and density to realise <u>as much development capacity as possible</u>; - In metropolitan centre zones, and within a walkable catchment of city and metropolitan centre zones and existing and planned rapid transit stops: <u>Building heights of at least six storeys</u>; and - Within and adjacent to neighbourhood, local, and town centre zones: <u>Building heights and density in line with the level of commercial activity and community services</u>. Councils determine the size of walkable catchment areas that trigger intensification requirements. Tier 2 councils are required to allow heights and housing densities in line with the level of accessibility of services; or demand for housing.	Tier 1 councils will be required to allow heights and housing densities across their urban areas in line with the level of accessibility of services or demand for housing, rather than just in and around neighbourhood, local, and town centres at present. Tier 1 councils must identify 'strategic transport corridors' (e.g. key bus routes) and upzone around these, not just around rapid transit (e.g. train stations) as at present. Government will simplify the definition of rapid transit. Government will set minimum catchment sizes rather than leaving this to council discretion. Tier 1 councils will be required to offset the loss of housing capacity resulting from the use of an 'unlisted qualifying matter' (such as defining an area as having special character) by a direct and corresponding increase in housing capacity elsewhere. There will be stronger evidentiary requirements on decision-makers seeking to apply qualifying matters. Tier 2 requirements remain the same.
Mixed-use development	No specific direction on mixed-use.	There will be new national direction on mixed use. Tier 1 and 2 councils will be required to enable a baseline level of small-scale mixed-use (such as dairies and cafes) across their urban areas (including outside of NPS-UD intensification areas). Tier 1 councils will also be required to enable a specified set of small-to-mid-scale activities (such as restaurants, retail, metro-style supermarkets and offices) in areas subject to the NPS-UD's intensification requirements.
Minimum floor area and balcony requirements	No specific direction on minimum floor area and balcony requirements.	Councils will not be able to set these requirements .
Making the MDRS optional	Tier 1 councils (and Rotorua District Council) must enable the MDRS.	Tier 1 councils (and Rotorua District Council) will be given the ability to alter or remove the MDRS, provided they



POLICY	CURRENT REQUIREMENTS	KEY CHANGES
		demonstrate compliance with their Housing Growth Target. Councils will be required to hold a ratification vote to decide whether they plan to retain, alter, or remove the MDRS from their urban areas. If the outcome of a council's ratification vote is a decision to alter or remove the MDRS, councils will be required to start work on a plan change to do this.
Compliance and enforcement	Councils prepare and publish Housing and Business Development Capacity Assessments (HBAs), but do not need to publish the underlying data. Existing compliance and enforcement powers in the RMA, including: - investigating the performance of a council; - directing a council to do a plan change (but cannot direct specific process to follow); - appointing a person to perform the RMA functions of a council.	There will be a new requirement for councils to provide HBAs, and underpinning data and assumptions, to central government. New ability for central government to require councils to amend part or all of their HBA, or direct councils to use a specific plan change process (including the streamlined planning process), in the event of non-compliance with requirements. Existing powers in the RMA remain in place.

Tier 1 Councils and urban environments

- Auckland (Auckland Council)
- Christchurch (Canterbury Regional Council, Christchurch City Council, Selwyn District Council and Waimakariri District Council)
- Wellington (Wellington Regional Council, Wellington City Council, Porirua City Council, Hutt City Council, Upper Hutt City Council, Kāpiti Coast District Council)
- Tauranga (Bay of Plenty Regional Council, Tauranga City Council and Western Bay of Plenty District Council)
- Hamilton (Waikato Regional Council, Hamilton City Council, Waikato District Council and Waipā District Council)

Tier 2 Councils and urban environments

- Whangārei (Northland Regional Council, Whangārei District Council)
- Rotorua (Bay of Plenty Regional Council and Rotorua District Council)
- New Plymouth (Taranaki Regional Council, New Plymouth District Council)
- Napier-Hastings (Hawke's Bay Regional Council, Napier City Council and Hastings District Council)
- Palmerston North (Manawatū-Whanganui Regional Council and Palmerston North City Council)
- Nelson Tasman (Nelson City Council, Tasman District Council)
- Queenstown (Otago Regional Council, Queenstown Lakes District Council)
- Dunedin (Otago Regional Council and Dunedin City Council)



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Factsheet: Council process to implement Going for Housing Growth

How councils will implement the new Going for Housing Growth requirements

- We are proposing that councils follow different processes depending on whether they have implemented the Medium Density Residential Standards (MDRS) and the National Policy Statement on Urban Development (NPS-UD) or not.

Councils who have (or will have) implemented the MDRS and NPS-UD

- Councils who have implemented the MDRS and NPS-UD are:**
 - Tauranga City Council (except Variation 1)
 - Western Bay of Plenty District Council
 - Rotorua District Council (Tier 2)
 - Kāpiti Coast District Council
 - Porirua City Council
 - Upper Hutt City Council
 - Hutt City Council
 - Wellington City Council
 - Selwyn District Council
- Councils who are expected to complete implementation of the MDRS and NPS-UD in 2024:**
 - Hamilton City Council
 - Waikato District Council
 - Waipā District Council
 - Waimakariri District Council
- The new proposals will mean these councils will be required to take a ratification vote on the MDRS and subsequently notify the Minister of Housing and the Minister for the Environment of their decision in writing. Ministers have yet to make decisions on whether there will be a timeframe within which councils must take their ratification vote.

If councils vote to remove or alter the MDRS

- Councils will be required to start work on a plan change to remove or alter the MDRS.
- This plan change removing or altering the MDRS will need to also implement the Housing Growth Targets, intensification changes to the NPS-UD, and mixed-use provisions.
- Councils will need to follow a version of the existing Streamlined Planning Process set out in the Resource Management Act 1991 (RMA) to remove or alter the MDRS. The exact ways in which this process will be changed have yet to be determined by Ministers.
- To show that this plan change meets the Housing Growth Target, councils will need to provide central government with a Housing and Business Capacity Assessment (HBA), as well as relevant underpinning data and assumptions.



If councils vote to keep the MDRS

- Ministers are still considering implementation timeframes and processes for Housing Growth Targets, intensification changes, and mixed-use provisions. Timeframes will take into account other new or amended national direction under the RMA that councils will have to implement as part of the Government's wider Resource Management Reform programme.



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Councils who have not implemented the MDRS

- Auckland Council, Christchurch City Council, and Tauranga City Council (Variation 1 to Plan Change 33 – Tauriko West) are the only councils that currently have implementation dates for the MDRS and NPS-UD that extend past mid-2025 (when legislation and national direction package are expected to be in place).
- Cabinet has agreed that the Minister Responsible for RMA Reform can make decisions regarding what process these councils will use to implement the new requirements, reflecting each council's differing circumstances, but informed by an overarching objective to get the intensification provisions of the NPS-UD in place as soon as possible. Officials are working with these councils on process options. These councils will still be required to take a ratification vote.
- Auckland Council will also still be required to upzone the area not included in Plan Change 78 (the indicative Auckland Light Rail Corridor). Auckland Council also intends to introduce updated planning provisions to mitigate natural hazards.
- Whangārei District Council, New Plymouth District Council, Napier City Council, Hastings District Council, Palmerston North City Council, Nelson City Council, Tasman District Council, Queenstown Lakes District Council, and Dunedin City Council did not have to implement the MDRS, but will have to implement the Housing Growth Targets.
- Ministers are considering implementation timeframes and processes for Housing Growth Targets, intensification changes, and mixed-use provisions. Timeframes will take into account other new or amended national direction under the RMA that councils will have to implement as part of the Government's wider Resource Management Reform programme.

APPENDIX 11

FACTSHEET 2: New Requirements for Councils [*ECM Number 11270758*]



Te Tūāpapa Kura Kāinga
Ministry of Housing and Urban Development



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Factsheet: New requirements for councils

The Government has made decisions aimed at freeing up land for housing and removing unnecessary planning barriers.

The supporting policies will be progressed through a Resource Management Amendment Bill and national direction process. Formal consultation on the detailed design of these changes will occur in early 2025. Councils are at different stages of implementing current requirements, covered in a separate factsheet.

Current requirements and key changes

POLICY	CURRENT REQUIREMENTS	KEY CHANGES
Housing Growth Targets	Currently, the National Policy Statement - Urban Development (NPS-UD) requires councils to plan for 30 years of housing demand. Capacity is considered 'plan-enabled' if: - In the short term (0-3 years), it is on land that is zoned for housing in an <u>operative district plan</u>; - In the medium term (3-10 years), either the above applies, or it is on land that is zoned for housing in a <u>proposed district plan</u>; - In the long term (10-30 years), either the above applies, or it is on land identified by the local authority for use in a <u>Future Development Strategy</u> or equivalent Development capacity must also be infrastructure ready. Development capacity is infrastructure-ready if: - In the short term (0-3 years), there is <u>adequate existing infrastructure</u> to support land development for housing; - In the medium term (3-10 years), either the above applies, or funding for adequate infrastructure to support land development for housing is identified in a <u>long-term plan</u>; - in the long term (10-30 years), either the above applies, or infrastructure to support land development for housing is identified in a council's <u>infrastructure strategy</u>.	Tier 1 and 2 councils will need to zone for at least <u>30</u> years of housing demand, rather than a minimum of <u>3</u> years. A wider range of funding sources can be used to meet medium-term infrastructure requirements including a levy under the Infrastructure Funding and Financing Act 2020, a development agreement, or through central government funding streams. New prescriptive rules and guidance will be set for how councils calculate how much housing capacity they need (e.g. requiring councils to use 'high' demand projections). New requirements that price indicators (such as urban fringe land price differentials) do not deteriorate (and ideally improve) over time.
Enabling greenfield growth	Tier 1 and 2 councils must prepare Future Development Strategies (FDS), which are required to spatially identify locations where growth can occur in the future, the infrastructure required to service that growth, and any constraints on development, over a 30 year time period. Councils are required to be responsive to private plan change proposals that would	Ministry officials are exploring options to improve FDSs (such as requiring councils to plan for growth over a <u>50</u> year, rather than <u>30</u> yeartime period). Officials are also looking at strengthening the responsiveness policy in the NPS-UD, to better support developers to progress private plan changes.



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POLICY	CURRENT REQUIREMENTS	KEY CHANGES
	provide significant development capacity would contribute to a well-functioning urban environment.	Councils won't be able to impose a rural-urban boundary line (or equivalent) in a plan (they can still have rurally zoned land).
Intensification in the right places	Tier 1 councils are required to allow: - In city centre zones: Building heights and density to realise <u>as much development capacity as possible</u>; - In metropolitan centre zones, and within a walkable catchment of city and metropolitan centre zones and existing and planned rapid transit stops: <u>Building heights of at least six storeys</u>; and - Within and adjacent to neighbourhood, local, and town centre zones: <u>Building heights and density in line with the level of commercial activity and community services</u>. Councils determine the size of walkable catchment areas that trigger intensification requirements. Tier 2 councils are required to allow heights and housing densities in line with the level of accessibility of services; or demand for housing.	Tier 1 councils will be required to allow heights and housing densities across their urban areas in line with the level of accessibility of services or demand for housing, rather than just in and around neighbourhood, local, and town centres at present. Tier 1 councils must identify 'strategic transport corridors' (e.g. key bus routes) and upzone around these, not just around rapid transit (e.g. train stations) as at present. Government will simplify the definition of rapid transit. Government will set minimum catchment sizes rather than leaving this to council discretion. Tier 1 councils will be required to offset the loss of housing capacity resulting from the use of an 'unlisted qualifying matter' (such as defining an area as having special character) by a direct and corresponding increase in housing capacity elsewhere. There will be stronger evidentiary requirements on decision-makers seeking to apply qualifying matters. Tier 2 requirements remain the same.
Mixed-use development	No specific direction on mixed-use.	There will be new national direction on mixed use. Tier 1 and 2 councils will be required to enable a baseline level of small-scale mixed-use (such as dairies and cafes) across their urban areas (including outside of NPS-UD intensification areas). Tier 1 councils will also be required to enable a specified set of small-to-mid-scale activities (such as restaurants, retail, metro-style supermarkets and offices) in areas subject to the NPS-UD's intensification requirements.
Minimum floor area and balcony requirements	No specific direction on minimum floor area and balcony requirements.	Councils will not be able to set these requirements .



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POLICY	CURRENT REQUIREMENTS	KEY CHANGES
Making the MDRS optional	Tier 1 councils (and Rotorua District Council) must enable the MDRS.	Tier 1 councils (and Rotorua District Council) will be given the ability to alter or remove the MDRS, provided they demonstrate compliance with their Housing Growth Target. Councils will be required to hold a ratification vote to decide whether they plan to retain, alter, or remove the MDRS from their urban areas. If the outcome of a council's ratification vote is a decision to alter or remove the MDRS, councils will be required to start work on a plan change to do this.
Compliance and enforcement	Councils prepare and publish Housing and Business Development Capacity Assessments (HBAs), but do not need to publish the underlying data. Existing compliance and enforcement powers in the RMA, including: - investigating the performance of a council; - directing a council to do a plan change (but cannot direct specific process to follow); - appointing a person to perform the RMA functions of a council.	There will be a new requirement for councils to provide HBAs, and underpinning data and assumptions, to central government. New ability for central government to require councils to amend part or all of their HBA, or direct councils to use a specific plan change process (including the streamlined planning process), in the event of non-compliance with requirements. Existing powers in the RMA remain in place.

Tier 1 Councils and urban environments

- Auckland (Auckland Council)
- Christchurch (Canterbury Regional Council, Christchurch City Council, Selwyn District Council and Waimakariri District Council)
- Wellington (Wellington Regional Council, Wellington City Council, Porirua City Council, Hutt City Council, Upper Hutt City Council, Kāpiti Coast District Council)
- Tauranga (Bay of Plenty Regional Council, Tauranga City Council and Western Bay of Plenty District Council)
- Hamilton (Waikato Regional Council, Hamilton City Council, Waikato District Council and Waipā District Council)

Tier 2 Councils and urban environments

- Whangārei (Northland Regional Council, Whangārei District Council)
- Rotorua (Bay of Plenty Regional Council and Rotorua District Council)
- New Plymouth (Taranaki Regional Council, New Plymouth District Council)
- Napier-Hastings (Hawke's Bay Regional Council, Napier City Council and Hastings District Council)
- Palmerston North (Manawatū-Whanganui Regional Council and Palmerston North City Council)
- Nelson Tasman (Nelson City Council, Tasman District Council)
- Queenstown (Otago Regional Council, Queenstown Lakes District Council)
- Dunedin (Otago Regional Council and Dunedin City Council)

APPENDIX 12

FACTSHEET 3: Council process to implement Going for Housing Growth [*ECM Number 11270762*]



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Ministry of Housing and Urban Development



Ministry for the
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Manatū Mō Te Taiao

Factsheet: Council process to implement Going for Housing Growth

How councils will implement the new Going for Housing Growth requirements

- We are proposing that councils follow different processes depending on whether they have implemented the Medium Density Residential Standards (MDRS) and the National Policy Statement on Urban Development (NPS-UD) or not.

Councils who have (or will have) implemented the MDRS and NPS-UD

- Councils who have implemented the MDRS and NPS-UD are:**
 - Tauranga City Council (except Variation 1)
 - Western Bay of Plenty District Council
 - Rotorua District Council (Tier 2)
 - Kāpiti Coast District Council
 - Porirua City Council
 - Upper Hutt City Council
 - Hutt City Council
 - Wellington City Council
 - Selwyn District Council
- Councils who are expected to complete implementation of the MDRS and NPS-UD in 2024:**
 - Hamilton City Council
 - Waikato District Council
 - Waipā District Council
 - Waimakariri District Council
- The new proposals will mean these councils will be required to take a ratification vote on the MDRS and subsequently notify the Minister of Housing and the Minister for the Environment of their decision in writing. Ministers have yet to make decisions on whether there will be a timeframe within which councils must take their ratification vote.

If councils vote to remove or alter the MDRS

- Councils will be required to start work on a plan change to remove or alter the MDRS.
- This plan change removing or altering the MDRS will need to also implement the Housing Growth Targets, intensification changes to the NPS-UD, and mixed-use provisions.
- Councils will need to follow a version of the existing Streamlined Planning Process set out in the Resource Management Act 1991 (RMA) to remove or alter the MDRS. The exact ways in which this process will be changed have yet to be determined by Ministers.
- To show that this plan change meets the Housing Growth Target, councils will need to provide central government with a Housing and Business Capacity Assessment (HBA), as well as relevant underpinning data and assumptions.



If councils vote to keep the MDRS

- Ministers are still considering implementation timeframes and processes for Housing Growth Targets, intensification changes, and mixed-use provisions. Timeframes will take into account other new or amended national direction under the RMA that councils will have to implement as part of the Government's wider Resource Management Reform programme.



Councils who have not implemented the MDRS

- Auckland Council, Christchurch City Council, and Tauranga City Council (Variation 1 to Plan Change 33 – Tauriko West) are the only councils that currently have implementation dates for the MDRS and NPS-UD that extend past mid-2025 (when legislation and national direction package are expected to be in place).
- Cabinet has agreed that the Minister Responsible for RMA Reform can make decisions regarding what process these councils will use to implement the new requirements, reflecting each council's differing circumstances, but informed by an overarching objective to get the intensification provisions of the NPS-UD in place as soon as possible. Officials are working with these councils on process options. These councils will still be required to take a ratification vote.
- Auckland Council will also still be required to upzone the area not included in Plan Change 78 (the indicative Auckland Light Rail Corridor). Auckland Council also intends to introduce updated planning provisions to mitigate natural hazards.
- Whangārei District Council, New Plymouth District Council, Napier City Council, Hastings District Council, Palmerston North City Council, Nelson City Council, Tasman District Council, Queenstown Lakes District Council, and Dunedin City Council did not have to implement the MDRS, but will have to implement the Housing Growth Targets.
- Ministers are considering implementation timeframes and processes for Housing Growth Targets, intensification changes, and mixed-use provisions. Timeframes will take into account other new or amended national direction under the RMA that councils will have to implement as part of the Government's wider Resource Management Reform programme.