

STATEMENT OF PROPOSAL

Draft Eastern Bay of Plenty Local Alcohol Policy 2023

CONSULTATION

8am Monday, 27 March to 5pm Friday, 28 April 2023

Eastern
BAY





The Eastern Bay of Plenty District councils (Whakatāne, Ōpōtiki, and Kawerau) are reviewing the joint Eastern Bay of Plenty Local Alcohol Policy that came into effect in 2016. This Statement of Proposal is pursuant to Sections 83, 86 and 156 of the Local Government Act 2002 and outlines the changes that are being proposed, along with how you can have your say on the draft Policy.

Local Alcohol Policies (LAPs) are not mandatory. The Sale and Supply of Alcohol Act 2012 (the Act) allows councils to develop LAPs for their territorial areas. Once a LAP is in place, the local District Licensing Committee must have regard to the LAPs when making decisions on licence applications. Without a LAP, the default provisions in the Act would apply.

The Act sets out the requirements and process for Local Alcohol Policies. LAPs can include policies on any or all of the following matters relating to licensing (and no others):

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

About the draft Local Alcohol Policy

The draft Local Alcohol Policy (LAP) aims to minimise alcohol-related harm and to set requirements for licensing that are aligned with community views and address local issues. The vision of the draft LAP is “to support the object of the Sale and Supply of Alcohol Act 2012 and contribute to the safety and health of the communities in the Eastern Bay of Plenty”.

The objects of the Act are stated as:

- 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 overall objective of the LAP review has been to strengthen and align the LAP to the Act, reduce alcohol related harm, and reflect community feedback.

Research report

A research paper was developed to inform the 2022/23 review of the Local Alcohol Policy. The research paper focused on current number of licences, the demography of residents, overall health indicators and alcohol related issues in the districts.

The report also includes information gathered through stakeholder engagement with Police, the Medical Officer of Health and Licensing Inspectors. The full Research Report is available online.

A summary of key points are below:

- High deprivation across all three districts puts our region at a higher risk of harm relating to alcohol.
- Data provided by the Bay of Plenty District Health Board has shown that a large proportion of hospital admissions in the region are related to alcohol consumption, with numbers higher than the national average for Ōpōtiki and Kawerau districts.
- Feedback provided from stakeholders indicates that there is great potential and support to strengthen the provisions of the current LAP. This includes placing tighter restrictions for on-licence hours and venue density.
- In 2021, approximately 12% of all recorded offences recorded alcohol as a contributing factor. Violent offences made up the highest proportion of alcohol-related offending in the Eastern Bay of Plenty being 25% and 24% respectively in 2020 and 2021. Drug and anti-social offences made up the next highest proportion of alcohol-related offending with 20% and 21% respectively in 2020 and 2021.
- In 2020 and 2021, 25% of family violence incidents and offences flagged alcohol as a contributing factor.
- In the Eastern Bay of Plenty, over the last five years, alcohol was a contributing factor in a large number of serious injury and fatal crashes, increasing from 24% of crashes in 2017 to 50% in 2021. Alcohol as a contributing factor in minor and non-injury crashes has increased from 9% of crashes in 2017 to 23% in 2021.
- Residents in the EBOP largely support the reduction of the number of venues that sell alcohol and note that this would improve the safety of their communities.

Summary of draft changes to the LAP

1. The Policy has been condensed and wording has been simplified where possible to provide clarity to applicants and the District Licensing Committee, and to remove reference to requirements which are already set out in the Act.
2. Objectives have been included to clearly provide the Councils' position and aims for each of the districts.
3. The draft Policy has been developed to align provisions across all three districts, with no differences between each district included.
4. Any application for a new on or off licence must be for a premise located in a zone designed for commercial or business activities under the relevant District Plan, unless resource consent is granted.
5. Trading hours are proposed to be aligned across all three districts as follows:
Off-licences: 9am – 10pm
(supermarkets 8am-10pm)
On-licences: 9am – 12pm
Club licences: 9am- 12pm
Special licences: case by case
6. The definition of sensitive sites has been extended to include primary and secondary schools, childcare facilities, children's playgrounds, places of worship, marae, and medical centres.
7. Provision around new licences and proximity to sensitive sites has been reworded to better reflect and align with District Plans and provided the District Licensing Committee better discretion on applications near sensitive sites.
8. Example discretionary conditions applicable to each licence type have been included to provide more visibility as to what can be imposed.

How can I have my say on the Policy?

The consultation period for the Local Alcohol Policy review will begin on Monday 27th March and conclude at 5pm on Friday 28th April. This is your opportunity to let us know what you think of the draft Policy, and we encourage all feedback.

You can:

- Read further information and submit using our online consultation portals koreromai.whakatane.govt.nz/local-alcohol-policy-2023 and kaweraudc.govt.nz
- Email your submission to your Council listed below
- Submission forms and hard copies of this statement of proposal and the draft Policy are available at all council offices in the Eastern Bay (Whakatāne, Kawerau and Ōpōtiki). If you have any questions about this proposal or about how to make a submission, please contact us using the details below:

Whakatāne
4 Commerce Street, Whakatāne 07 306 0500 submissions@whakatane.govt.nz
Ōpōtiki
108 St John Street, Ōpōtiki 07 315 3030 info@odc.govt.nz
Kawerau
2 Ranfurly Court, Kawerau 07 306 9009 submissions@kaweraudc.govt.nz

Privacy Act information

The Local Government Act requires submissions to be made available to the public. All submissions will be provided to the three Eastern Bay of Plenty District Councils and will include your name. If you would like to keep your submission confidential, you will need to inform us when you provide your submission.



What happens next?

Following the closing of the submission period at 5pm, Friday 28th April 2023, all submissions will be provided to a panel comprising members of the three councils for consideration and verbal submissions will be heard. This meeting will be open to submitters and the public to attend in person or via video link if requested.

The panel will then deliberate on the draft Policy and what should be included in the final LAP based on community feedback.

Important dates to remember:



The Local Alcohol Policy applies to the whole Eastern Bay of Plenty, please feel free to ask questions or provide your feedback at any of the locations listed above.