



## KOMITI ITI WHAKAWĀ HEARINGS SUBCOMMITTEE

10 September 2024

Order Paper for the hearing to be held in the  
Council Chambers, 2nd Floor, 30 Laings Road, Lower Hutt,  
on:

**Tuesday 17 September 2024 commencing at 9:00 am**

The hearing will be livestreamed on Council's YouTube page.

The purpose of the hearing is to consider submissions on the review of the Local Alcohol Policy (LAP).

### **Membership**

Cr S Edwards (Chair)  
Cr A Mitchell

Cr B Dyer  
Cr K Morgan (Alternate)

For the dates and times of Council Meetings please visit [www.huttcity.govt.nz](http://www.huttcity.govt.nz)

## HUTT CITY COUNCIL

### KOMITI ITI WHAKAWĀ | HEARINGS SUBCOMMITTEE

Meeting to be held in the Council Chambers, 2nd Floor, 30 Laings Road, Lower Hutt

on

Tuesday 17 September 2024 commencing at 9:00 am.

#### ORDER PAPER

#### PUBLIC BUSINESS

##### 1. OPENING FORMALITIES - KARAKIA TIMATANGA

Whakataka te hau ki te uru	Cease the winds from the west
Whakataka te hau ki te tonga	Cease the winds from the south
Kia mākinakina ki uta	Let the breeze blow over the land
Kia mātaratara ki tai	Let the breeze blow over the ocean
E hī ake ana te atakura	Let the red-tipped dawn come with a
He tio, he huka, he hau hū	sharpened air.
Tihei mauri ora	A touch of frost, a promise of a
	glorious day.

##### 2. APOLOGIES

No apologies have been received.

##### 3. CONFLICT OF INTEREST DECLARATIONS

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

##### 4. HEARING OF SUBMISSIONS - PROPOSALS ON THE REVIEW OF THE LOCAL ALCOHOL POLICY

Report No. HSC2024/4/270 by the Senior Policy Advisor

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##### 5. HEARING OF SUBMISSIONS

The list of speakers will be tabled at the hearing.

6. CLOSING FORMALITIES - KARAKIA WHAKAMUTUNGA

Unuhia!  
Unuhia!  
Unuhia i te uru-tapu-nui  
Kia wātea, kia māmā  
Te ngākau, te tinana,  
te wairua i te ara takatū  
Koia rā e Rongo  
whakairihia ake ki runga  
Kia wātea, kia wātea!  
Ae rā, kua wātea!  
Hau, pai mārīre.

Release us from the supreme  
sacredness of our tasks  
To be clear and free  
in heart, body and soul in our  
continuing journey  
Oh Rongo, raise these words up high  
so that we be cleansed and be free,  
Yes indeed, we are free!  
Good and peaceful

Vanessa Gilmour  
**DEMOCRACY ADVISOR**

26 August 2024

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Report no: HSC2024/4/270

## Hearing of Submissions - Proposals on the review of the Local Alcohol Policy

### Purpose of Report

1. This report provides background and process information to assist the Subcommittee with the hearing of submissions on the review of the Local Alcohol Policy (LAP).

### Recommendations

That the Subcommittee:

- (1) notes that the public consultation on the Local Alcohol Policy ran from 26 July to 25 August 2024;
- (2) notes a complete set of submissions received via the survey and via email can be viewed here:  
[https://hccpublicdocs.azurewebsites.net/api/download/2657e0a4b3614301b65dd99406a07ad2/\\_mtgmngmnt/2ede0c2c55cfc74a5bae686d32faaaa2b9](https://hccpublicdocs.azurewebsites.net/api/download/2657e0a4b3614301b65dd99406a07ad2/_mtgmngmnt/2ede0c2c55cfc74a5bae686d32faaaa2b9)
- (3) notes copies of the eight written submissions from respondents who have requested to provide a verbal response can be viewed here:  
[https://hccpublicdocs.azurewebsites.net/api/download/2657e0a4b3614301b65dd99406a07ad2/\\_mtgmngmnt/548ad12f54ff704eb99dd46d023991f7e8](https://hccpublicdocs.azurewebsites.net/api/download/2657e0a4b3614301b65dd99406a07ad2/_mtgmngmnt/548ad12f54ff704eb99dd46d023991f7e8); and
- (4) approves the draft Local Alcohol Policy, attached as Appendix 2 to the report, subject to amendments made during the meeting deliberations.

For the reason that the Committee has the authority to hear submissions in relation to the LAP.

### Background

#### *Legal Framework*

2. The Sale and Supply of Alcohol Act 2012 (the Act) allows local councils to develop local alcohol policies. The legislation enables but does not require councils to adopt a LAP specific to their community. The LAP must be reviewed every six years.

3. Councils are required to consult the Police, the Medical Health Officer in the district and local Licensing Inspectors when developing or reviewing their policy.
4. Communities can be involved in the development or review of the LAP through the public consultation process to have input into alcohol availability on a local level.
5. Once the LAP is in force, a council-appointed District Licensing Committee must consider it when making decisions about alcohol licensing applications.
6. A recent amendment to the Act has removed the ability for parties to appeal provisional policies to the Alcohol Regulatory and Licensing Authority, making it easier for communities to have a say in alcohol licensing decisions.
7. Council's current LAP has been in place since 2018 and covers licensing rules for on and off-licensed venues such as:
  - a. trading hours;
  - b. location of licensed premises;
  - c. discretionary conditions for issuing licenses or types of licenses;
  - d. off-license caps; and
  - e. one-way door restrictions.

### *Consultation on the Policy*

8. On 11 May 2024, the Infrastructure and Regulatory Committee agreed:
  - a. to run a Special Consultative Procedure on Council's Policy;
  - b. to run the consultation on the policy concurrently with consultation on the Alcohol Fees Bylaw and the Control of Alcohol in Public Places Bylaw; and
  - c. that hearings on the Policy and two bylaws will be heard separately by relevant hearings Subcommittees.
9. Public consultation on the LAP took place from 26 July to 25 August 2024.
10. The Statement of Proposal - Local Alcohol Policy is attached as Appendix 1 to the report.

### **Discussion**

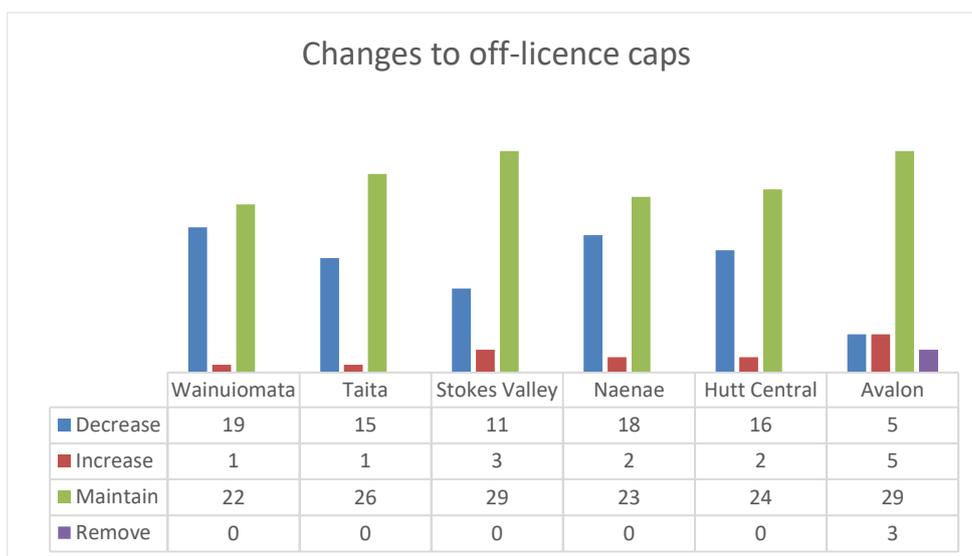
11. There were 48 responses to the public consultation, including 37 from the online survey and 11 written submissions. 33 individuals provided submissions and officers received 15 submissions from organisations. A complete set of online and written submissions can be viewed here: [https://hccpublicdocs.azurewebsites.net/api/download/2657e0a4b3614301b65dd99406a07ad2/\\_mtgmngmnt/2ede0c2c55cfc74a5bae686d32faaaa2b9](https://hccpublicdocs.azurewebsites.net/api/download/2657e0a4b3614301b65dd99406a07ad2/_mtgmngmnt/2ede0c2c55cfc74a5bae686d32faaaa2b9). Not all respondents answered all the questions, resulting in differing numbers of respondents for questions throughout the survey.

12. Eight submitters have requested to present verbal submissions to the Subcommittee including six organisations and two individuals. Copies of verbal submissions can be viewed here:  
[https://hccpublicdocs.azurewebsites.net/api/download/2657e0a4b3614301b65dd99406a07ad2/\\_mtgmngmnt/548ad12f54ff704eb99dd46d023991f7e8](https://hccpublicdocs.azurewebsites.net/api/download/2657e0a4b3614301b65dd99406a07ad2/_mtgmngmnt/548ad12f54ff704eb99dd46d023991f7e8).
13. The public consultation contained questions covering three major themes: off-licence caps, sinking lid and trading hours.

### *Off-licence caps*

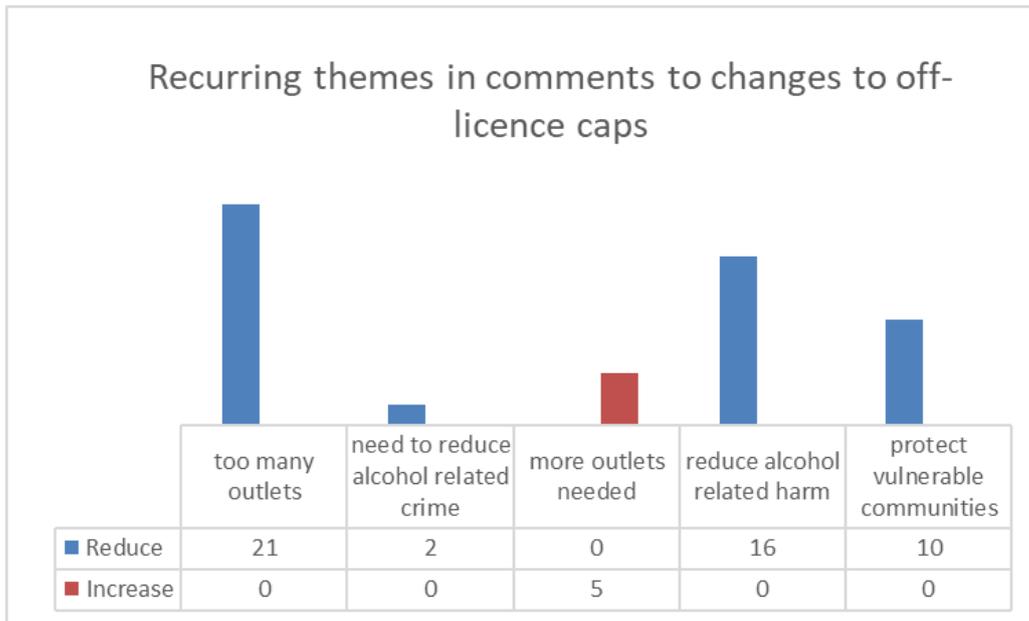
14. The results of the question “Of the current suburbs with off-licence caps, should the caps be changed or removed” are displayed in Chart 1 below. The public were asked if the caps should be removed, decreased, maintained, or increased.

**Chart 1: Changes to off-licence caps**



15. Some respondents provided comments explaining why they suggested to remove or change the caps. The major themes for reducing or increasing caps are captured in Chart 2 below.

Chart 2: Recurring themes in comments to changes to off-licence caps

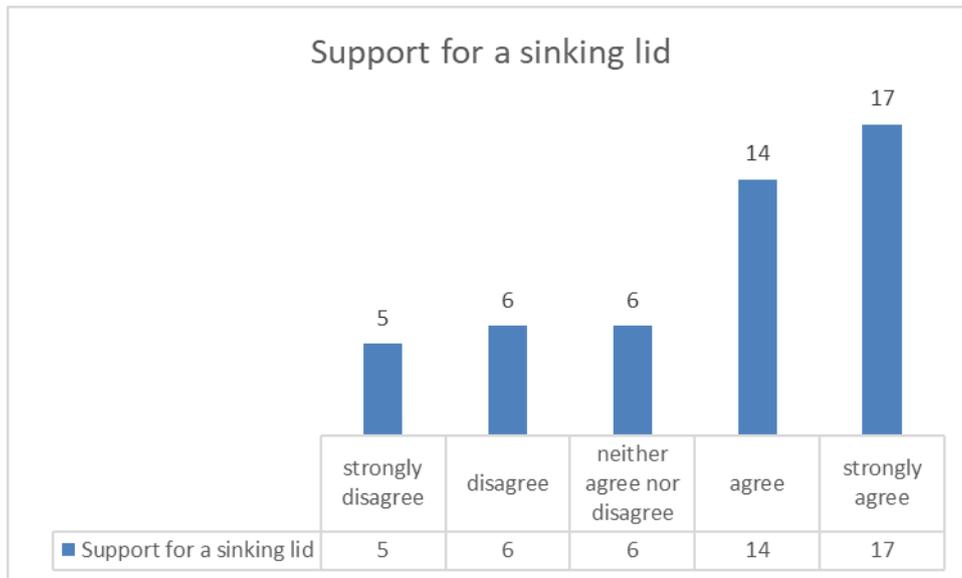


16. A few respondents noted that off-licence caps should be population based and that no new off-licences should be granted.
17. Placement of off-licences was a common topic in respondent comments and a wide variety of views on proximity rules for off-licenced venues were offered:
- a. halt or reduce the existing numbers of outlets, particularly in areas where licensed premises have reached saturation levels;
  - b. areas of high socio-economic deprivation;
  - c. where there is high number of children and young people;
  - d. where there is high crime rate;
  - e. where there would generally be an impact on the amenity and good order of the area;
  - f. controlling the proximity of off-licences to sites that might be significant to Māori or Pacific Peoples, such as marae and churches;
  - g. prevent licensed premises from locating within a radius or within a distance of a “sensitive site” such as an educational facility, place of worship, Marae, health facility, or community facility (s77(1)(c) of the Act);
  - h. proximity of licensed premises to other licensed premises; and
  - i. location and proximity to a “sensitive site” such as an educational facility (eg school, early childcare centre), place of worship, Marae, health facility (eg an addiction and treatment facility), community facility (eg public park, playground or reserve, urupa, or cemetery) or similar sites.

*Sinking lid*

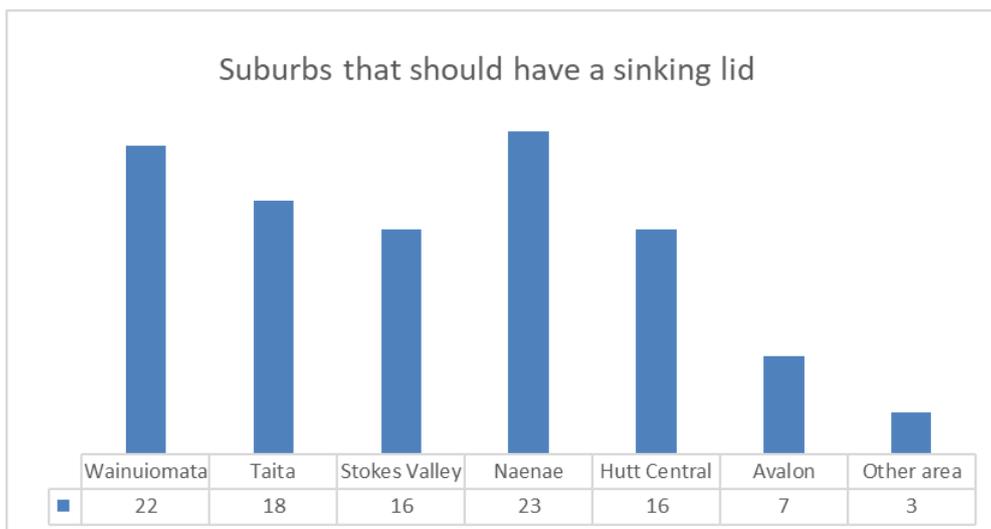
18. The survey asked respondents “What do you think of a ‘sinking lid’ for off-licences in some or all of our capped areas”. Respondents were asked to indicate their level of agreement or disagreement with a sinking lid. Results are shown in Chart 3 below.

**Chart 3: Support for a sinking lid**



19. Following indications of support for a sinking lid for off-licence capped areas, respondents were asked to indicate which suburbs they felt should have a sinking lid policy implemented. Results are displayed in Chart 4 below.

**Chart 4: Suburbs that should have a sinking lid**



20. All suburbs that currently have an off-licence cap received some level of support for the implementation of a sinking lid policy. In addition:
- a. three people suggested other areas that should be included in a sinking lid policy;
  - b. two people suggested that all Lower Hutt suburbs should have a sinking lid for off-licences; and
  - c. one person suggested that the Western suburbs should also be included.
21. Respondents were asked to provide any additional comments about their views of a sinking lid policy. Although only sixteen comments were received, they covered various reasons for support or non-support of a sinking lid policy for off-licences with few overall themes standing out. These are outlined in Table 1 below:

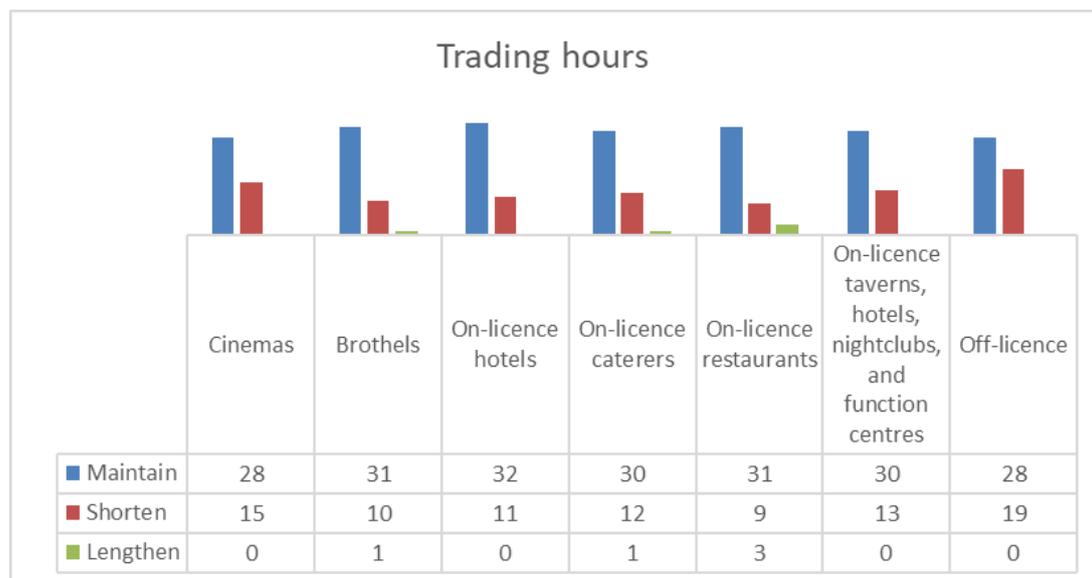
**Table 1: Submission feedback reasons for support or non-support of a sinking lid policy**

<p>Non-support for a sinking lid policy</p>	<ul style="list-style-type: none"> <li>• Population is growing</li> <li>• Newer outlets might be more responsible</li> <li>• We should look at say x number of licences per 1000 population of adults</li> <li>• Who will be the alcohol providers? It provides a social outlet for many people who use it responsibly</li> <li>• A sinking lid policy should not remove the opportunity for competitive pricing</li> <li>• We recommend reducing the density of licenced outlets to reduce the accessibility to alcohol</li> <li>• May indirectly entrench the positions of existing licensees</li> </ul>
<p>Support for a sinking lid</p>	<ul style="list-style-type: none"> <li>• Should apply in any suburbs where alcoholism is a problem according to Police</li> <li>• Wainuiomata needs a sinking lid approach, there are far too many</li> <li>• Suburbs with more than 3 off-licenses should have a sinking lid applied</li> <li>• A reduction could occur immediately in Stokes Valley as there are only 2 off-licences in operation</li> <li>• Reduce the density of licenced premises by using the sinking lid policy</li> <li>• Strongly support a sinking lid policy for off-licences in all capped areas</li> <li>• All Lower Hutt suburbs should have caps on the number of off-licences in place</li> <li>• Institute an immediate sinking lid policy for off-licences in all areas.</li> </ul>

### Trading hours

22. Respondents were asked for their views on the current trading hours for a range of on-licenced venues, off-licenced venues, cinemas and brothels. Responses for maintaining, shortening or lengthening current trading hours are displayed in Chart 5 below.

**Chart 5: Views on trading hours**



23. The majority of respondents either preferred to maintain the current trading hours or to shorten the current trading hours for on- and off-licenced venues, cinemas and brothels.
24. Reasons behind the responses in favour of shortening trading hours were primarily around questioning the need for long trading hours. Some of the commentary supporting changing opening hours, closing hours, or both are outlined in Table 2 below:

**Table 2: Submission feedback reasons for supporting changing operating hours**

Opening hours	<ul style="list-style-type: none"> <li>• I don't think people should be able to buy alcohol at 7am</li> <li>• Some of these trading hours should not start at 7am</li> <li>• 7am is very early for people to have access to alcohol</li> <li>• On-license hours to start at 9am</li> </ul>
Closing hours	<ul style="list-style-type: none"> <li>• Can't see the point in a cinema trading at 3am</li> <li>• Change all to 1am closing</li> <li>• Club licenses-maximum trading hours to midnight</li> <li>• Off-licenses hours for off-license premises to 7pm</li> </ul>
Both opening and closing hours	<ul style="list-style-type: none"> <li>• Off-licence premises to 9am-9pm</li> <li>• Reduce the hours of trading for off -license premises to 10:00 to 21:00 hours</li> </ul>

***Other restrictions suggested through submissions***

25. There were many other comments from respondents that put forward ideas to strengthen the LAP that fell outside the consultation topics of off-licence caps, a sinking lid police and trading hours. Some of these additional topics include:

- a. restricting or prohibiting the Buy Now, Pay Later payment schemes;
- b. restricting alcohol advertising in certain areas or near certain types of facilities such as schools or churches;
- c. controlling the proximity of off-licences to sites significant to Māori, or Pacific people;
- d. inclusion of a reference to Crime Prevention Through Environmental Design principles in the LAP as it provides guidance for the District Licensing Committee on reducing external signage at bottle shops; and
- e. establishing a price threshold for low-alcohol products.

### Options

26. There are two options to consider:

Option 1	Propose to adopt the draft LAP with no changes	Pro: LAP can be renewed and adopted during the first half of 2025	Con: Public may not feel that public submissions were considered
Option 2	Propose changes to the draft LAP	Pro: Public submissions can be included in a subsequent draft LAP and consulted on through a second SCP.  The current LAP does not expire.	Con: An additional SCP is required, delaying the implementation of a new LAP.

### Climate Change Impact and Considerations

27. The matters addressed in this report have been considered in accordance with the process set out in Council's Climate Change Considerations Guide.

### Consultation

28. Targeted engagement was done with current alcohol licensees via the email addresses we have recorded. An initial email was sent on Monday, 5 August 2024, and a reminder on Wednesday, 21 August 2024.
29. A 'heads-up' message was sent to the Hutt Valley Chamber of Commerce and Jackson Street Programme before the start of a formal engagement, and they were subsequently provided full details to share with their members when the engagement period began.
30. Waterloo and Moera shopping areas were door knocked and received a letter explaining the engagement and how to have their say.
31. On Tuesday, 30 July 2024, Council met with Richard Te One, a representative for Mana Whenua.

### Legal Considerations

32. The Sale and Supply of Alcohol Act 2012 allows local councils to develop local alcohol policies.
33. Consultation on Council's draft policy was undertaken in accordance with the Special Consultative procedure outlined in the Local Government Act 2002.

*Written submission from GDL*

34. A written submission was received from General Distributors Limited (GDL) supporting the retention of the current LAP.
35. GDL have expressed concerns about the consultation process undertaken, stating a failure in meeting statutory consultative obligations. They view that inviting public opinion on “critical and very significant aspects of alcohol licensing” to the Draft Local Alcohol Policy (DLAP) at the same time as the release of the DLAP undermines the public’s ability to “reasonably” express their views.
36. GDL believes that if material changes are proposed to the Local Alcohol Policy, the public should have another opportunity to submit views on an updated version through a subsequent special consultative procedure.
37. GDL seeks clarification around how the public consultation results will be used to make changes to the Policy.

### **Financial Considerations**

38. There are no financial considerations.

### **Appendices**

<b>No.</b>	<b>Title</b>	<b>Page</b>
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<a href="#">2</a>	Appendix 2 - Draft Local Alcohol Policy	31

**Author:** Angela Gordon  
Senior Policy Advisor

**Reviewed By:** Richard Hardie  
Head of Strategy and Policy

**Reviewed By:** Bradley Cato  
Chief Legal Officer

**Approved By:** Jarred Griffiths  
Director Strategy and Engagement



## Statement of Proposal

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# Local Alcohol Policy

### Summary of Proposal

Hutt City Council's Local Alcohol Policy came into effect in 2018 and is now due for a review. As part of this review, information was sought from the Police, Medical Officers of Health, and Hutt City Council's City Safety Manager and Licensing Inspectors. This draft policy is being consulted on between 26 July 2024 and 25 August 2024.

The proposal is to:

- maintain the caps for off-licensed alcohol retailers; and
- maintain trading hours.

The following tables describe what Council is proposing.

Proposals	Current settings
<b>Caps for off-licensed alcohol retailers</b>  (refer Appendix 1)	<b>Maintain existing suburbs and/or caps (as below) or propose changes</b> <ul style="list-style-type: none"> <li>• Naenae – 4</li> <li>• Stokes Valley – 3</li> <li>• Taita – 3</li> <li>• Avalon – 1</li> <li>• Hutt Central – 11</li> <li>• Wainuiomata – 6</li> </ul>
<b>License types</b>  <b>Off-license</b>  <b>On-license: taverns, hotels,</b>	<b>Maintain current trading hours</b>  <b>7am to 10pm, Mon-Sun</b>  <b>7am to 3am, Mon to Sun</b>

<b>nightclubs and function centres</b>	
<b>On-license: restaurants and cafes</b>	<b>7am to 1am, Mon to Sun</b>
<b>On-license: caterers</b>	<b>7am to 3am in Lower Hutt CBD or Jackson Street, Petone, Mon to Sun; and 7am to 1am outside Lower Hutt CBD and Jackson Street, Petone, Mon to Sun.</b>
<b>On-license: hotels</b>	<b>24 hours per day, Mon to Sun</b>
<b>Brothels</b>	<b>To match operating hours</b>
<b>Cinemas</b>	<b>7am to 3am, Mon to Sun</b>

## How to have your say

We want your feedback on the proposed Local Alcohol Policy.

You can provide feedback in multiple ways:

- Make an online submission at [hutt.city/alcohol](https://hutt.city/alcohol).
- Email your submission to [alcohol.feedback@huttcity.govt.nz](mailto:alcohol.feedback@huttcity.govt.nz) with 'Local Alcohol Policy' in the email subject line.
- Drop off a submission at the front counter at our office at 30 Laings Rd.

## Timetable for consultation

The consultation is open from **26 July to 25 August 2024**.

## Questions to consider

- Are there any of the current suburbs with off-license caps that you think should have their caps removed or changed? Where and why?
- Are there any additional suburbs that should have a cap on the number of off-licenses? Where and why?
- Should we change our trading hours?
- Should we implement a sinking lid for all or some of the off-license capped areas?

## Privacy Statement

We require your name, contact details and the suburb you live in as part of your feedback. All feedback will be published on our website with your name. All other personal or commercially sensitive information (including your email address and suburb) will be removed. Publishing feedback in full supports a transparent process and will assist in the public hearing process.

If you have specific reasons for not wanting your feedback publicly released, please contact [alcohol.feedback@huttcity.govt.nz](mailto:alcohol.feedback@huttcity.govt.nz).

The feedback form asks for the suburb you live in to better understand how you are impacted by the changes happening in your suburb.

### *Public Hearings*

The feedback form also asks if you want to present directly to Councillors at a hearing. If you state that you do want to present to Councillors, you will be contacted by council staff to arrange a time for you to speak.

Feedback will be considered by Council regardless of whether you wish to present your views at a hearing or not. Final decisions will be made in September 2024 and the Local Alcohol Policy will be adopted in December 2024.

### *Storing personal information*

Council stores information with reasonable safeguards against loss and disclosure. Reasonable safeguards include physical and technological protections. Personal information is accessible to staff who have a legitimate reason to access it. Council has a code of conduct where unauthorised disclosure of confidential information or records in accordance with the provisions of the Public Records Act, which includes the authorised destruction of records once they are no longer required to be kept for legislative compliance or business purposes.

### *Access to your information*

The information you provide will be accessible only by Council staff and is not shared with any third party. You have the right to ask for a copy of any personal information we hold about you, and to ask for it to be corrected if you think it is wrong. If you'd like to ask for a copy of your information, or to have it corrected, please contact us at [policy@huttcity.govt.nz](mailto:policy@huttcity.govt.nz), or 04 570 6666, or 30 Laings Road, Lower Hutt 5010.

## Statement of Proposal

### What is a Local Alcohol Policy?

The Sale and Supply of Alcohol Act 2012 sets out the requirements and processes regarding local alcohol policies.

Local alcohol policies aim to minimise alcohol-related harm and to set requirements for licensing that are aligned with community views.

Local alcohol policies are not mandatory. Without a local alcohol policy, the national default settings would apply.

Local alcohol policies are able to:

- restrict or extend trading hours of premises;
- limit whether further licenses should be issued in the district or part of the district;
- limit the location of licenses in relation to premises and facilities, for example, public shopping areas;
- impose one-way door conditions; and
- provide for the issue of licenses subject to discretionary conditions.

Councils must follow the special consultative procedure in reviewing a Local Alcohol Policy every six years in accordance with section 83 of the Local Government Act 2002.

### Council’s Processes to date

The review of Hutt City Council’s Local Alcohol Policy is in line with the requirements of the Sale and Supply of Alcohol Act 2012. The review process looks at the impact the Local Alcohol Policy has had since its introduction in 2016 and has included:

<b>Consultation with stakeholders</b>	<ul style="list-style-type: none"> <li>• New Zealand Police</li> <li>• Lower Hutt Licensing Inspectors</li> <li>• Medical Officers of Health</li> <li>• Hutt City Council City Safety Manager</li> <li>• Healthy Families</li> </ul>
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	<ul style="list-style-type: none"> <li>• Mana Whenua partners</li> </ul>
<b>Analysis of source data and information</b>	<ul style="list-style-type: none"> <li>• Te Whatu Ora on alcohol related Emergency Department attendances and hospital admissions of Lower Hutt residents;</li> <li>• New Zealand Police National Alcohol Harm Viewer database statistics on alcohol-related reports to Police and numbers of Police interventions in Lower Hutt over the past four years;</li> <li>• Hutt City Council City Safety Manager report; and</li> <li>• Report from the Area Prevention Manager of the New Zealand Police based in Lower Hutt.</li> </ul>
<b>Consideration of key factors</b>	<ul style="list-style-type: none"> <li>• The objectives and policies of the District Plan (<b>Appendix 4</b>);</li> <li>• The number of licenses of each kind held for premises in the district, and the location and opening hours of each of the premises (<b>Appendix 5</b>);</li> <li>• The areas in which bylaws prohibiting alcohol in public places are in force (The Control of Alcohol in Public Places Bylaw is currently in development);</li> <li>• The demography of the Lower Hutt residents (<b>Appendix 6</b>);</li> <li>• The demography of people who visit the district as tourists or holiday makers (Hutt City Council does not collect this information);</li> <li>• The overall health indicators of Lower Hutt residents; and</li> <li>• The nature and severity of the alcohol-related problems arising in the district (<b>Appendix 7</b>).</li> </ul>

Please note that the Draft Local Alcohol Policy was removed from the Statement of Proposal for the purposes of the Subcommittee meeting on 17 September 2024. It is attached separately to the Subcommittee Report.

**Appendix 4: Objectives and Policies of the District Plan**

# City of Lower Hutt District Plan

## Objectives and Policies

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### Legislative requirements

Sale and Supply of Alcohol Act 2012 s78(2)(a)

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

*(a) The objectives and policies of its district plan*

Sale and Supply of Alcohol Act 2012 s93

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

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

Sale and Supply of Alcohol Act 2012 s100

*An application for a licence –*

*...*

*(f) except in the case of an application relating to a conveyance, must be accompanied by a certificate by the territorial authority that the proposed use of the premises meets requirements of the Resource Management Act 1991 and of the building code.*

The City of Lower Hutt District Plan is the key regulatory document controlling land use and subdivision in the city. It contains policy guidance and rules on the urban development of the city, the locations of land uses, and the management of amenity values. The District Plan assigns all land in the city to one of 19

different “activity areas”, with different management approaches. Some of these areas contain sub-areas.

The District Plan is regularly reviewed and altered to meet the changing needs of the city. The table below summarises the relevant objectives and policies from the district plan at the time the Local Alcohol Policy was last reviewed, both those that apply city-wide and those that apply to particular activity areas.

<b>Area</b>	<b>References</b>	<b>Summary of relevant objectives and policies that may be relevant to liquor licencing</b>
<b>City wide</b>	<b>1.10.2</b>	Set out how amenity values should change and be enhanced and identifies the general character and amenity values planned for each activity area.
<b>City wide</b>	<b>1.10.4</b>	Promotes commercial centres as community focal points, by encouraging commercial activities within centres and managing or restricting commercial activities outside centres.
<b>City wide</b>	<b>1.10.10</b>	Protects heritage values and recognises that given the constraints on developing heritage buildings, and the ability to support retention of heritage buildings, it is appropriate for heritage buildings to host a wider range of activities than would otherwise be anticipated in that activity area.
<b>Hill Residential Activity Area</b>	<b>4D 1</b>	Provides for home occupations and other non-residential activities if effects on nature, traffic, noise, character, and other effects are managed.
<b>Landscape Protection Residential Activity Area</b>	<b>4E 1</b>	Limits non-residential activities in order to protect amenity values and visual backdrop of the city.
<b>Medium Density Residential Activity Area</b>	<b>4F 2, 4F 3</b>	Non-residential activities are managed to be compatible with planned amenity values and limit adverse effects.
<b>High Density Residential Activity Area</b>	<b>4G 2, 4G 3</b>	Non-residential activities are managed to be compatible with planned amenity values and limit adverse effects.
<b>Central Commercial Activity Area</b>	<b>5A 1</b>	Promote a viable and vibrant central area that is the commercial, civic, and community focus of Lower Hutt, accommodating a wide range of activities.

		<p>Manage effects of activities on nearby residential activity areas including visual and privacy impacts.</p> <p>Manage residential activities to make sure they are not incompatible with other activities in the Central Commercial area.</p> <p>Encourage the development of a riverside promenade.</p> <p>Promote active frontages to streets and other public open space.</p>
<b>Petone Commercial Activity Area 1</b>	<b>5B 1.1.1</b>	Manage effects of activities on nearby residential activity areas, including traffic effects.
<b>Petone Commercial Activity Area 2</b>	<b>5B 1.1.2A, 5B 1.1.3</b>	<p>Provide for a range of commercial and large-format retail activities.</p> <p>Manage smaller scale retail activities to not detract from the vibrancy of retail activities in Petone Commercial Activity Area 1.</p> <p>Restrict late-night activities that may be incompatible with residential activities or impact amenity values.</p> <p>Manage effects of activities on nearby residential activity areas, including noise, odour, and traffic effects.</p> <p>Enhance the relationship of buildings with public open space.</p>
<b>Suburban Mixed Use Activity Area</b>	<b>5E 2, 5E 3</b>	<p>Commercial activities serve the local community and provide good community access to goods and services.</p> <p>Development minimises adverse effects on the amenity values of neighbouring residential activity areas, taking into account the planned amenity values for the areas.</p>
<b>General Business Activity Area</b>	<b>6A 1</b>	<p>Provide for commercial activities that provide a local service for the work force in the area.</p> <p>Provide for retail activities that do not undermine commercial centres.</p>

		Manage effects on the amenity values of the environment and neighbouring areas, including noise, odour, and traffic.
<b>Special Business Activity Area</b>	<b>6B 1</b>	Manage non-industrial activities to avoid unacceptable risks from the industrial activities in the area.  Manage effects on the amenity values of the environment and neighbouring areas, including noise, odour, and traffic.
<b>Avalon Business Activity Area</b>	<b>6C 1</b>	Manage effects on the character and amenity values of the environment and neighbouring areas.  Avoid adverse effects on the ability of the area to provide for the film and television sector.
<b>Extraction Activity Area</b>	<b>6D 1</b>	<i>This activity area does not anticipate licenced premises and has no relevant objectives or policies.</i>
<b>General Recreation Activity Area</b>	<b>7A 1</b>	Manage adverse impacts on the character of the land and amenity values of the area and neighbouring residential areas.
<b>Special Recreation Activity Area (i) – Petone Foreshore</b>	<b>7B (i) 1</b>	Activities should be compatible with recreation activities and the coastal environment.  Ensure public access to the area and the coastal marine area.
<b>Special Recreation Activity Area (ii) – Seaview Marina</b>	<b>7B (ii) 1</b>	Provide for activities that support, enhance, or complement the marina.  Ensure public access to the area and the coastal marine area.
<b>Special Recreation Activity Area (i) – Hutt Park Visitor Accommodation</b>	<b>7B (iii) 1</b>	Provide for activities that support, enhance, or complement the campground.
<b>River Recreation Activity Area</b>	<b>7C 1</b>	Manage activities that would impact the natural and ecological qualities of the river and its margins.  Manage adverse impacts on the amenity values of the area and neighbouring residential areas.

		Ensure public access to and along the river.
<b>Passive Recreation Activity Area</b>	<b>7D 1</b>	Ensure activities are consistent with the natural and undeveloped character of the area.
<b>Rural Residential Activity Area</b>	<b>8A 1</b>	Provide for small businesses that serve the entire city where a rural environment is appropriate.  Manage adverse impacts on rural residential character and amenity.  Allow for ancillary facilities that support recreational activities.
<b>General Rural Activity Area</b>	<b>8B 1</b>	Maintain and enhance the character and amenity values of rural areas.  Allow for ancillary facilities that support recreational activities.
<b>Community Health Activity Area</b>	<b>9A 1</b>	Manage adverse impacts on the amenity values of the area and neighbouring residential and recreation areas.
<b>Community Iwi Activity Area</b>	<b>10A 1</b>	Manage adverse impacts on the amenity values of the area and neighbouring residential and business areas.  <i>Note: Community Iwi Activity Area sites also apply the provisions of an underlying base activity area, which is the Medium Density Residential, High Density Residential, General Business, or General Recreation Activity Area.</i>
<b>City wide</b>	<b>14A 3, 14A 4</b>	Manage adverse effects on the safety and efficiency of the transport network from land use and on-site transport facilities.
<b>City wide</b>	<b>14B 1</b>	Manage adverse effects of signs, including on amenity and transport.
<b>City wide</b>	<b>14C 1</b>	Manage adverse effects of noise on health and amenity values.
<b>City wide</b>	<b>14F 1</b>	Encourage the retention of heritage buildings through providing for a wider range of activities, while managing adverse effects on character and amenity values.

<b>City wide</b>	<b>14H 1</b>	Avoid, reduce, or not increase the risk to people and property from natural hazards and coastal hazards, by managing land use and development and requiring mitigation measures.
<b>City wide</b>	<b>14J 1</b>	Encourage a diverse range of temporary events while managing adverse effects.

In general, the District Plan implements these objectives and policies itself through appropriate rules. Applications for a liquor licence do not need to revisit these issues, such as whether a commercial activity in general, or of a particular size, is appropriate in the proposed location. Some specific activity areas do require a resource consent for licenced premises, but this does not remove the requirement for a liquor licence.

Based on the approach of the District Plan, alcohol licence applications should only need to consider those resource management issues that are particular to the sale and supply of alcohol or are exacerbated by it. Licences will not generally need to reconsider issues already managed for all commercial activities under the district plan, such as the viability of centres, privacy, traffic, signage, natural hazard management, or reverse sensitivity. Decision-makers may want to consider those issues that are different for on-licensed or off-licensed premises to other hospitality or retail activities respectively, such as managing noise or operating hours. Decision-makers should also consider other district plan objectives and policies that can be further advanced through the liquor licensing process, such as encouraging the retention of heritage buildings by providing for adaptive reuse of the buildings that might not otherwise be enabled.

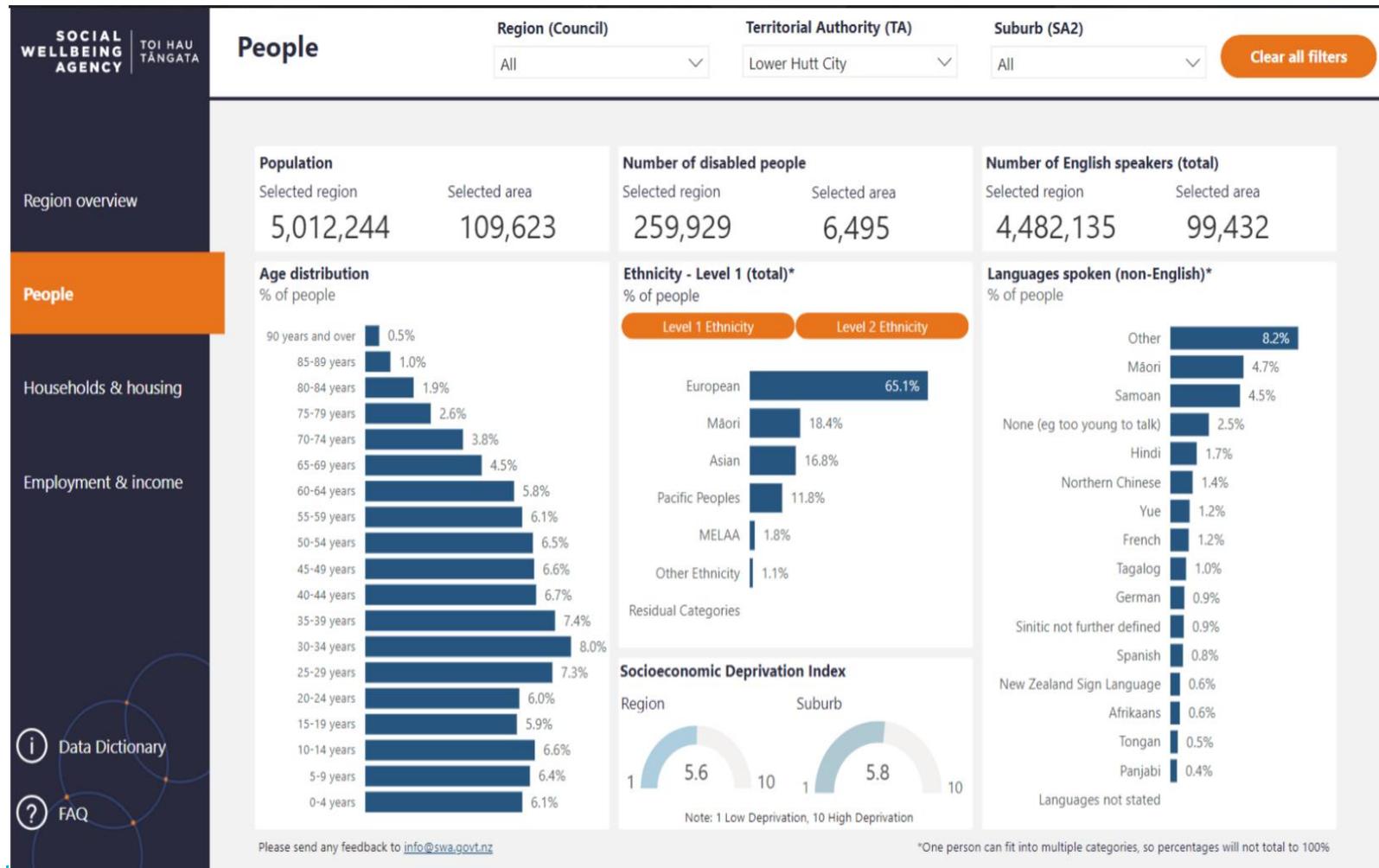
Under the provisions of the Act, a new licenced premise will need to either be provided for as a permitted activity in the plan or have a resource consent authorising the use of that land as a licenced premise. The Local Alcohol Policy does not authorise any activity to occur without a resource consent that would otherwise be required. Conversely, a resource consent also does not guarantee that a liquor licence will be granted.

**Appendix 5: Annual alcohol licensing numbers**

<b>Annual alcohol licensing report numbers reported to ARLA</b>						
<b>Financial year</b>	<b>On-license applications</b>	<b>Off-license applications</b>	<b>Club license applications</b>	<b>Renewals</b>	<b>Manager's certificates</b>	<b>Annual reported license numbers</b>
<b>2018-2019</b>	received: 2  refused: 0	received: 5 refused: 0	received: 2 refused: 0	issued: 99 refused: 0	received: 130 refused: 0 withdrawn: 2	numbers not reported
<b>2019-2020</b>	received: 53 refused: 0	received: 22 refused: 0	received: 7 refused: 0	issued: 169 refused: 0	received: 254 refused: 0	numbers not reported
<b>2020-2021</b>	received: 46 refused: 0	received: 26 refused: 0	received: 13 refused: 0	issued: 62 refused: 0	received: 255 refused: 1 withdrawn: 2	As at 30 June 2021 on-license: 101 off-license: 76 club license: 44
<b>2021-2022</b>	received: 53 refused: 0	received: 28 refused: 0	received: 23 refused: 0	licenses issued: 68 refused: 0 manager's certificates issued: 168 refused: 0	received: 280 refused: 0 withdrawn: 1	As at June 2022 on-license: 115 off-license: 62 club license: 38
<b>2022-2023</b>	received: 46 refused: 0	received: 31 refused: 0	received: 4 refused: 0	licenses issued: 58 refused: 1 manager's certificates issued: 130 refused: 0	received: 282 refused: 0 withdrawn: 5	As at 30 June 2023 on-license: 98 off-license: 59 club license: 37

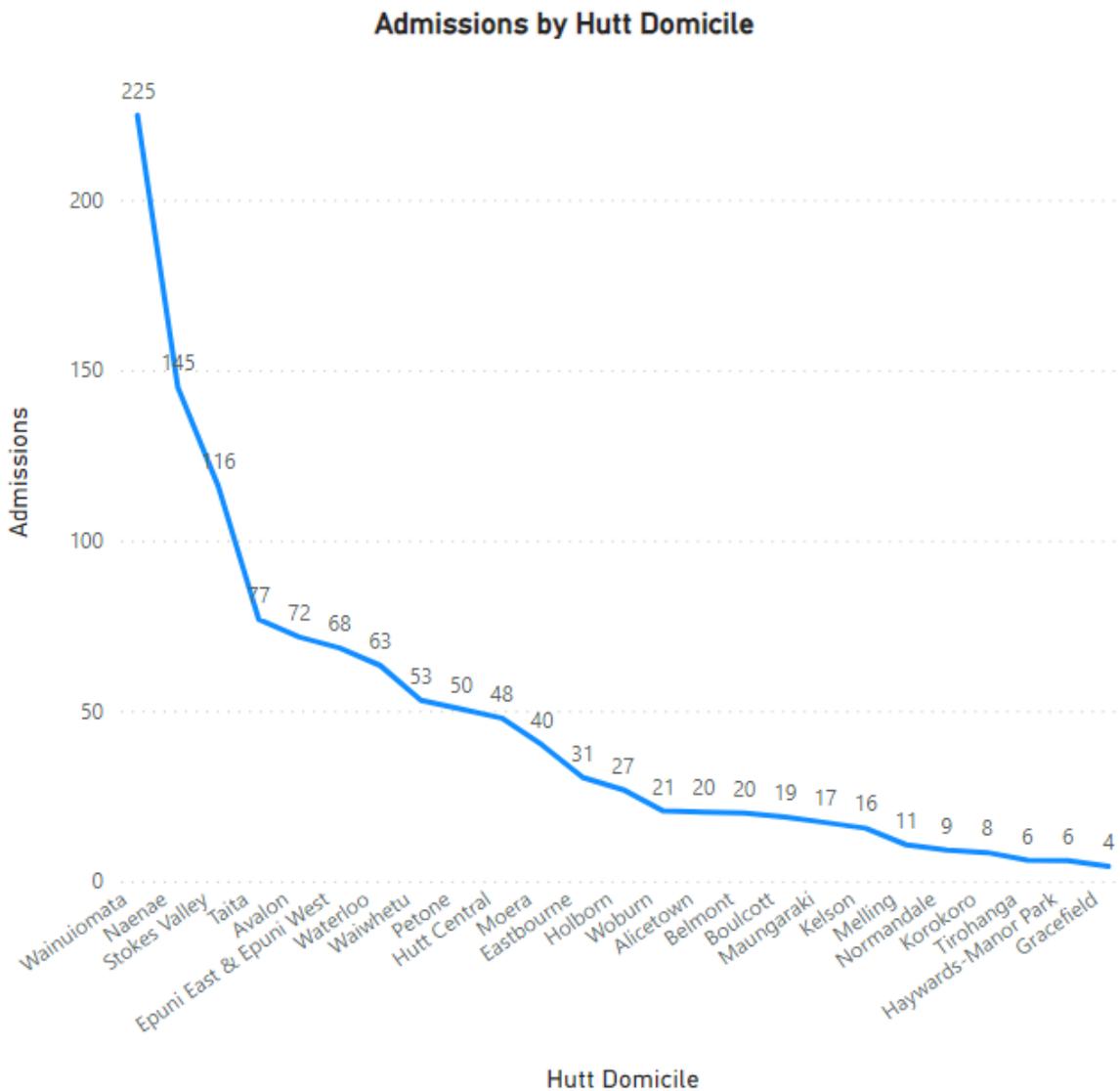


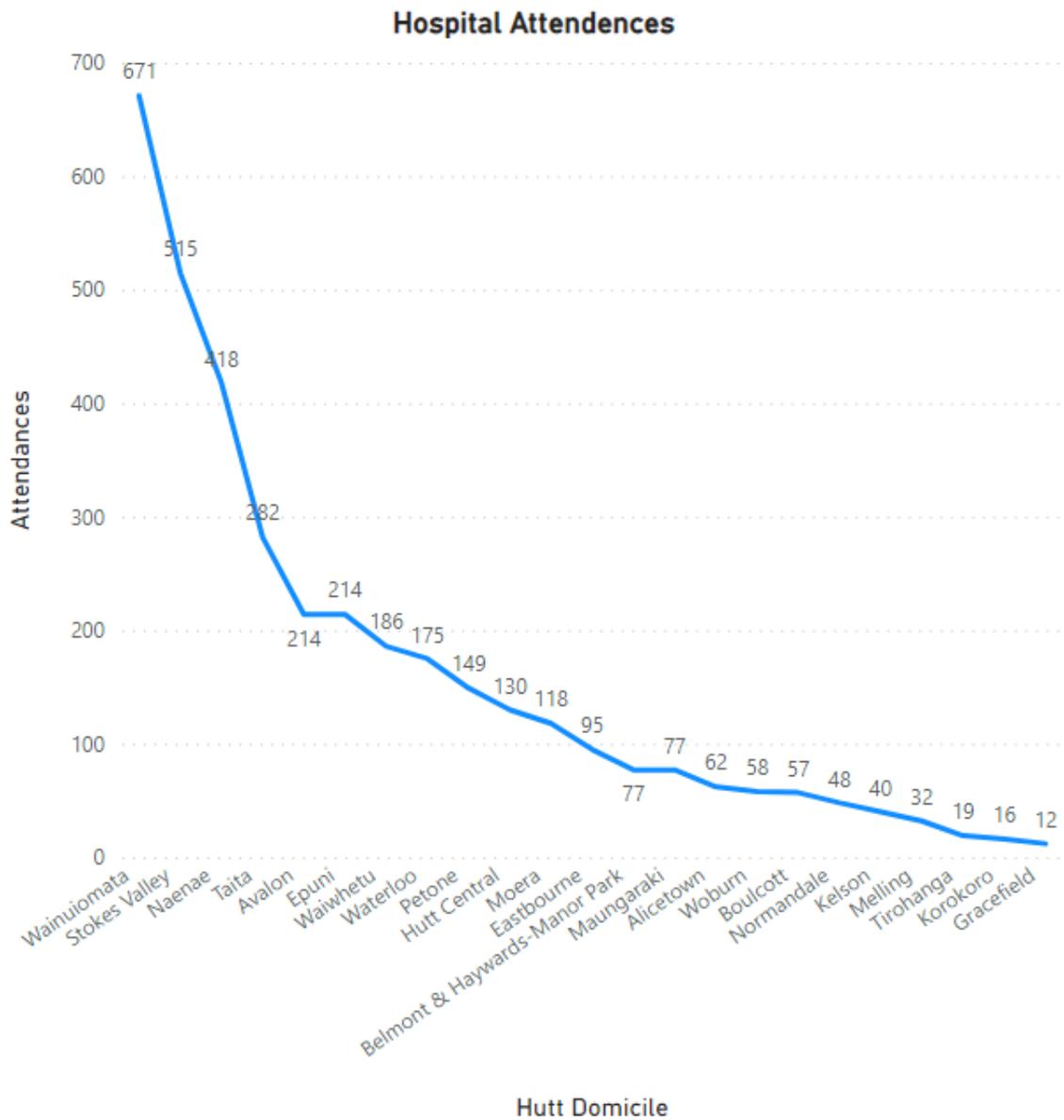
**Appendix 6: Demography of Lower Hutt Residents as at 4 June 2024**

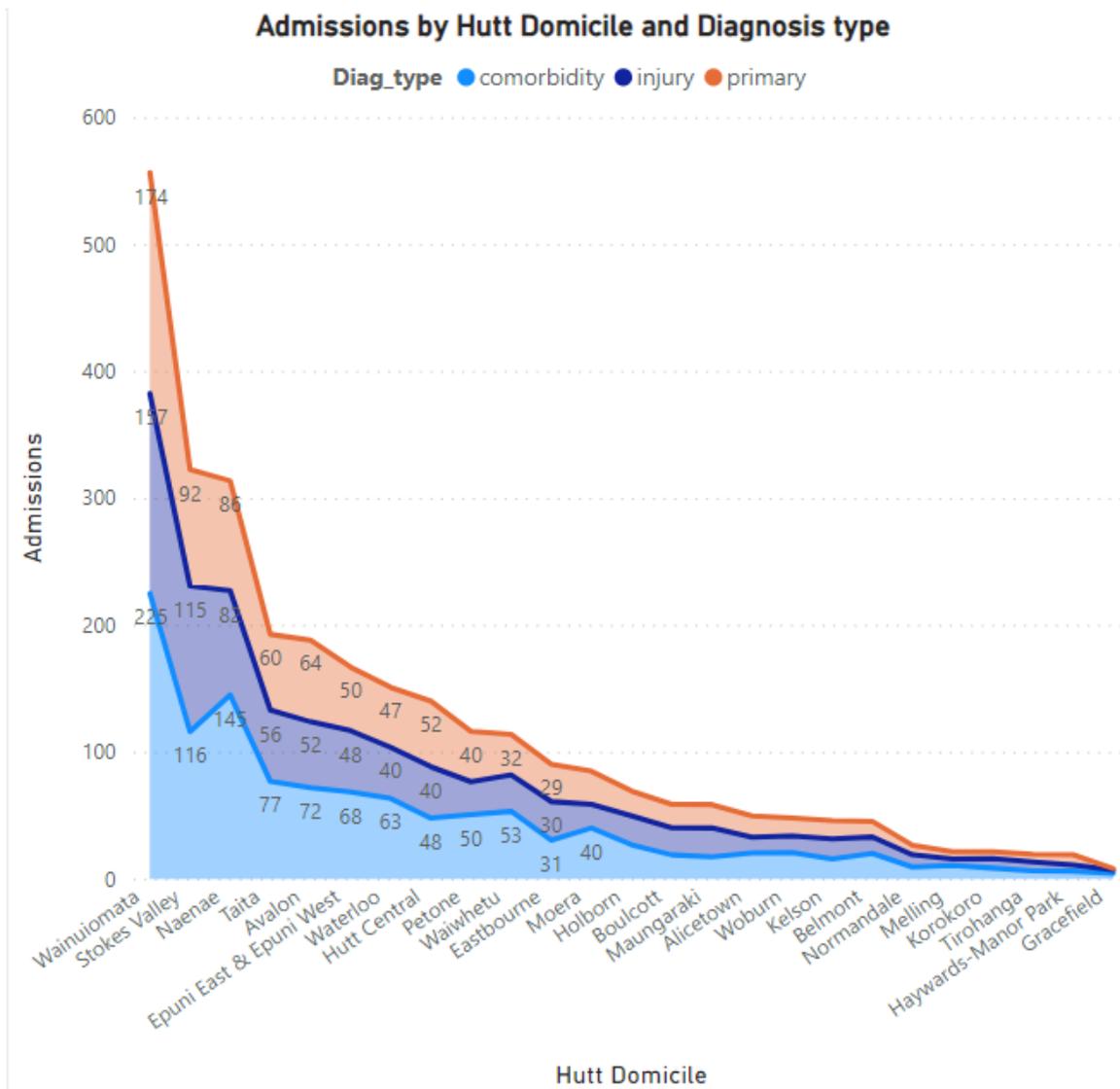




**Appendix 7: Nature and severity of alcohol-related health problems arising in the district (2020-2023)**







# Draft Hutt City Local Alcohol Policy

Division	Strategy and Policy
Date created	July 2024
Publication date	Month Year
Review period	December 2030
Owner	Name
Approved by	Name

Version	Author	Date	Description
V 1.0	Name	Month Year	Insert brief description here
V 2.0	Name	Month Year	Insert brief description here

# Introduction

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## 1 Scope of the Policy

- 1.1 The Hutt City Local Alcohol Policy (LAP) was developed pursuant to the Sale and Supply of Alcohol Act 2012 (the Act). The Act enables Council to develop a local alcohol policy for its district within set requirements and scope.
- 1.2 A local alcohol policy may only address the following licensing matters:
  - a. Location of licensed premises by reference to broad areas (eg capped areas);
  - b. Location of licensed premises by reference to proximity to premises of a particular kind(s) (eg schools);
  - c. Location of licensed premises by reference to proximity to facilities of a particular kind(s) (eg hospitals);
  - d. Whether further licenses should be issued for premises in the district concerned or any stated part of the district;
  - e. Maximum trading hours;
  - f. Issuance of licenses subject to discretionary conditions; and
  - g. One-way door restrictions.
- 1.3 This LAP has been developed to set alcohol licensing criteria considered appropriate for when, where, and how alcohol is sold throughout Lower Hutt.
- 1.4 The Act also intends the LAP to guide the District Licensing Committee (DLC) and the Alcohol Regulatory and Licensing Authority (ARLA) in their decision-making regarding licensing matters, as well as to provide a guide for those applying for an alcohol license in Lower Hutt.

## 2 Sale and Supply of Alcohol Act 2012

### *The object of the Act*

- 2.1 The object of the Act is that:
  - The sale, supply and consumption of alcohol should be undertaken safely and responsibly; and

- The harm caused by the excessive or inappropriate consumption of alcohol should be minimised.
- 2.2 Harm is defined very widely and includes any crime, damage, death, disease, disorderly behaviour, illness or injury, and harm to individuals or the community, either directly or indirectly caused by excessive or inappropriate alcohol consumption.

### *Licensing*

- 2.3 An alcohol license is required to sell alcohol to the public. Applications for alcohol licenses must be filed with the DLC.
- 2.4 Each territorial authority must appoint one or more licensing committees to deal with licensing matters for its district. Decisions on alcohol license applications may be escalated to ARLA if required.

## **3 Goals and objectives of the LAP**

- 3.1 The goals of the LAP are to:
- Contribute to Hutt City being a safe and vibrant place to work, live and play;
  - Reflect local communities' character, amenity, values and preferences;
  - Encourage licensed premises to foster positive, responsible drinking behaviour; and
  - Minimise alcohol-related harm in Lower Hutt.
- 3.2 The objectives of the LAP are to:
- Regulate the trading hours of all types of alcohol licenses;
  - Regulate the location of off-licensed premises (ie capped numbers);
  - Ensure licensed premises take appropriate measures to minimise alcohol-related harm; and
  - Provide clear guidance to the DLC.
- 3.3 The development of this LAP has been underpinned by the following three principles:
- Appropriate balance – The LAP will provide the appropriate balance between economic activity, social wellbeing and having consideration to minimising alcohol-related harm;

- Recognising diversity – The LAP will recognise our diverse communities and distinct characteristic of our district; and
- Simplicity – The LAP will be simple to understand and implement and will not duplicate or overlap other regulatory tools.

## 4 Definitions

### Alcohol licenses

There are three types of licenses in the Lower Hutt District:

<b>Off-license</b>	Licensed for the sale of alcohol from the premises for consumption elsewhere, including off-site special licenses which allow for the sale and supply of alcohol for consumption elsewhere on the premise.
<b>On-license</b>	Licensed for the sale and supply of alcohol for consumption on the premises, including on-site special licenses which allow for the sale or supply of alcohol for consumption there to people attending an event described in the license.
<b>Club license</b>	Licensed for the sale and supply of alcohol to customers who are members, invited guests or visitors to the club concerned

### Other definitions

<b>Discretionary conditions</b>	Optional conditions that the DLC or ARLA may apply to any license. These may include but are not limited to: <ul style="list-style-type: none"> <li>• External advertising signage dimensions, number and location in compliance with the signage requirements outlined in the District Plan;</li> <li>• For premises in residential zones, reduced hours may be considered on the circumstances of each application;</li> <li>• The installation and operation of CCTV cameras on the exterior of and within the premises;</li> <li>• Provision of effective exterior lighting; and</li> <li>• Restriction on the use of outdoor areas.</li> </ul>
<b>Licensing Inspector</b>	A licensing inspector, appointed by the Chief Executive, monitors licensees' compliance with the Sale and Supply of Alcohol Act 2012.
<b>One-way Door Restrictions</b>	In relation to a license, there is a requirement that during the hours stated in the restrictions:

	<p>a. No person is to be admitted (or re-admitted) into the premises unless they are an exempt person; and</p> <p>b. No person who has been admitted (or re-admitted) into the premises while the restriction applies to the license is to be sold or supplied alcohol.</p>
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## 5 Policy Statement

### 5.1 Maximum trading hours

The national default maximum trading hours are:

- Off-licenses: between 7:00am and 11:00pm on any day; and
- On-licenses: between 8:00am on any day and 4:00am on the next day.

There are restrictions on the sale and supply of alcohol on Anzac Day morning and Christmas Day. [The Government has introduced a Bill to repeal Good Friday and Easter Sunday as restricted trading days which includes the restriction on the sale and supply of alcohol. This Bill has been referred to Select Committee.] Note: This will be updated.

The table below outlines current license types and relevant information such as trading hours and capped areas.

Type of license	Maximum trading hours	License areas and cap numbers
<b>Off-license (refer Appendix 1)</b>	7:00am to 10:00pm	<ul style="list-style-type: none"> <li>• Naenae (4)</li> <li>• Stokes Valley (3)</li> <li>• Taita (3)</li> <li>• Avalon (1)</li> <li>• Hutt Central (11)</li> <li>• Wainuiomata (6)</li> </ul>
<b>On-license: Taverns, Hotels, Nightclubs and Function Centres</b>	7:00am to 3:00am the following day. One-year probation period with closing at 1:00am for new licensees.	Lower Hutt CBD and Jackson Street, Petone (from Te Puni Street to Cuba Street).
	7:00am to 1:00am the following day For existing licenses to trade up to 3am, they are permitted to continue their trading hours as long as all criteria as outlined in Section	Outside Lower Hutt CBD and Jackson Street, Petone

<b>On-licenses: Restaurants and cafes</b>	7:00am to 1:00am the following day	Subject to provisions of the District Plan
<b>On-license: Caterers</b>	7:00am to 3:00am the following day	If event is catered in Lower Hutt CBD and Jackson Street, Petone
	7:00am to 1:00am the following day	If event is catered outside the Lower Hutt CBD and Jackson Street, Petone
<b>On-license: Hotel and mini bars</b>	24 hours a day	
<b>Brothels</b>	to match operating hours	Licensed on the condition that their on-licenses are linked to the business activity of a brothel.
<b>Cinemas</b>	7:00am to 3:00am the following day	Licensed on the condition that their on-licenses are linked to the business activity of a cinema.

## 6 Application of the policy

6.1 Information about [Alcohol Licenses](#) can be found on the Hutt City Council web site. This section includes information about:

- How to apply for a license;
- How to renew your license;
- How to apply for a manager's certificate;
- How to change the condition of your alcohol business;
- How to object to an alcohol license;
- How to find out about recent alcohol license public notices; and
- How to find out about alcohol licensing decisions.

Appendix 1

Hutt City Council  
Local Alcohol Policy  
Clause 1.2

