



NAPIER
CITY COUNCIL
Te Kaunihera o Ahuriri

Napier Civic Building
231 Hastings Street
t +64 6 835 7579
e info@napier.govt.nz
www.napier.govt.nz

ORDINARY MEETING OF COUNCIL

Open Agenda

Meeting Date: Tuesday 29 April 2025

Time: 9.30am (Local Alcohol Policy Review Hearing)

Venue: Large Exhibition Hall
War Memorial Centre
Marine Parade
Napier

Livestreamed via Council's Facebook page

Council Members **Chair:** Mayor Wise

Members: Deputy Mayor Brosnan, Councillors Boag, Browne, Chrystal, Crown, Greig, Mawson, McGrath, Price, Simpson, Tareha and Taylor

Officer Responsible Chief Executive

Administrator Governance Team

Next Council Meeting
Tuesday 29 April 2025

2022-2025 TERM OF REFERENCE - COUNCIL

<i>Chairperson</i>	<i>Her Worship Mayor Kirsten Wise</i>
<i>Deputy Chairperson</i>	<i>Deputy Mayor Annette Brosnan</i>
<i>Membership</i>	<i>All elected members</i>
<i>Quorum</i>	<i>7</i>
<i>Meeting frequency</i>	<i>At least 6 weekly and as required</i>
<i>Executive</i>	<i>Chief Executive</i>

Purpose

The Council is responsible for:

1. Providing leadership to and advocacy on behalf of the people of Napier.
2. Ensuring that all functions and powers required of a local authority under legislation, and all decisions required by legislation to be made by local authority resolution, are carried out effectively and efficiently, either by the Council or through delegation.

Terms of Reference

The Council is responsible for the following powers which cannot be delegated to committees, subcommittees, officers or any other subordinate decision-making body¹:

1. The power to make a rate
2. The power to make a bylaw
3. The power to borrow money, or purchase or dispose of assets, other than in accordance with the long-term plan
4. The power to adopt a long-term plan, annual plan, or annual report
5. The power to appoint a chief executive
6. The power to adopt policies required to be adopted and consulted on under the Local Government Act 2002 in association with the long-term plan or developed for the purpose of the local governance statement, including the 30-Year Infrastructure Strategy
7. The power to adopt a remuneration and employment policy.
8. The power to establish a joint committee with another local authority or other public body².
9. The power to approve or change the District Plan, or any part of that Plan, in accordance with the Resource Management Act 1991.
10. The power to make the final decision on a recommendation from the Parliamentary Ombudsman, where it is proposed that Council not accept the recommendation.
11. The power to make a final decision whether to adopt, amend, revoke, or replace a local Easter Sunday shop trading policy, or to continue a local Easter Sunday shop trading policy without amendment following a review.³

1 Schedule 7, clause 32. Local Government Act 2002.

2 Schedule 7, clause 30A

3 Shop Trading Hours Act 1990, section 5D.

Delegated Power to Act

The Council retains all decision making authority, and will consider recommendations of its committees prior to resolving a position.

Specific matters that will be considered directly by Council include without limitation unless by statute:

1. Direction and guidance in relation to all stages of the preparation of Long Term Plans and Annual Plans
2. Approval or amendment of the Council's Standing Orders⁴.
3. Approval or amendment the Code of Conduct for Elected Members⁵.
4. Appointment and discharging of committees, subcommittees, and any other subordinate decision-making bodies⁶.
5. Approval of any changes to the nature and delegations of any Committees.
6. Appointment and discharging of members of committees (as required and in line with legislation in relation to the role and powers of the Mayor) ⁷.
7. Approval of governance level strategies, plans and policies which advance council's vision and strategic goals.
8. Resolutions required to be made by a local authority under the Local Electoral Act 2001, including the appointment of an electoral officer.
9. Reviewing of representation arrangements, at least six yearly⁸.
10. Approval of any changes to city boundaries under the Resource Management Act.
11. Appointment or removal of trustees, directors or office holders to Council's Council-Controlled Organisations (CCOs) and Council Organisations (COs) and to other external bodies.
12. Approval the Local Governance Statement as required under the Local Government Act 2002.
13. Approval of the Triennial Agreement as required under the Local Government Act 2002.
14. Allocation of the remuneration pool set by the Remuneration Authority for the remuneration of elected members.
15. To consider and decide tenders for the supply of goods and services, where tenders exceed the Chief Executive's delegated authority, or where projects are formally identified by Council to be of particular interest. In addition, in the case of the latter, milestone reporting to Council will commence prior to the procurement process.

4 Schedule 7, clause 27,

5 Schedule 7, clause 15,

6 Schedule 7, clause 30,

7 Schedule 7, clause 30,

8 Local Electoral Act 2001, section 19H.

ORDER OF BUSINESS

Karakia

Apologies

Councillor Greig

Conflicts of interest

Public forum

Announcements by the Mayor including notification of minor matters not on the agenda

Note: re minor matters only - refer LGOIMA s46A(7A) and Standing Orders s9.13

A meeting may discuss an item that is not on the agenda only if it is a minor matter relating to the general business of the meeting and the Chairperson explains at the beginning of the public part of the meeting that the item will be discussed. However, the meeting may not make a resolution, decision or recommendation about the item, except to refer it to a subsequent meeting for further discussion.

Announcements by the management

Confirmation of minutes

There are no minutes to confirm.

Information items

Agenda items

1 Draft Local Alcohol Policy Submission Analysis5

Minor matters not on the agenda – discussion (if any)

Reports under Delegated Authority

Recommendation to Exclude the Public

AGENDA ITEMS

1. DRAFT LOCAL ALCOHOL POLICY SUBMISSION ANALYSIS

<i>Type of Report:</i>	Operational and Procedural
<i>Legal Reference:</i>	Sale and Supply of Alcohol Act 2012
<i>Document ID:</i>	1845492
<i>Reporting Officer/s & Unit:</i>	Stephen Bokkerink, Team Leader Compliance

1.1 Purpose of Report

This report provides an analysis of submissions received on the draft Local Alcohol Policy (LAP) as part of the special consultative procedure and outlines recommendations to Council on proposed amendments to the draft LAP.

Officer's Recommendation

That Council:

- a. **Receive** and consider all submissions received on the draft Local Alcohol Policy (LAP).
- b. **Direct** Officers to make any required amendments to the draft Local Alcohol Policy (LAP) following the hearings on 29 and 30 April 2025.
- c. **Accept** the information provided by Health New Zealand and New Zealand Police as early letters and information prior to the formal consultation process.
- d. **Accept** the Officers recommendation regarding the draft LAP as follows:
 - i. **No change** to provisions in the draft LAP regarding Maximum Trading Hours.
 - ii. **Change** draft LAP location provisions to: *"From the date this LAP comes into force, no further off-licences are to be issued for any premises being a bottle store on land located within: Maraenui, Marewa and Onekawa – the Reserve, Suburban Commercial and Residential Zone."*
 - iii. **Change** draft LAP proposal to include, to section 3-Discretionary Conditions, a Note that clarifies 'substantial food items' as listed under: On-Licences and Club Licences, Club Licences, and Special Licences as follows:

Three substantial food options must be provided. These must be similar to the menu submitted as part of an alcohol licence application. A reasonable range of different types of food should be available in portions suitable for a single customer.
 - iv. **Change** to draft LAP proposal Definitions, change to: Grocery store has the meaning given by section 33(1) of the Sale and Supply of Alcohol Act 2012.

1.2 Background Summary

The Sale and Supply of Alcohol Act 2012, requires that if a Council has a Local Alcohol Policy (LAP), they must review it using the special consultative procedure, no later than 6 years after it came into force, and no later than 6 years after the most recent review of it was completed. The LAP is due for review by August 2025.

Special Consultative Procedure Overview

The special consultative procedure (SCP) for consultation on the Draft LAP commenced on 14 March 2025, actions were undertaken for the SCP are outlined later in this report.

Process for draft LAP



Local Alcohol Policy Hearings

At the hearing Council will:

- Hear from submitters who wish to speak regarding the draft LAP.
- Hear from the Officer presenting this report.
- Make recommendations to the Officer regarding any amendments or further work.

The Draft LAP will be decided and adopted at the Council meeting on 26 June 2025.

Summary of submissions

Council received 147 submissions on the draft Local Alcohol Policy. All feedback received is attached to this report. A summary of submissions grouped by common themes is provided in the table below.

Theme	Submission Summary	Submitter
1. Location of places that sell and supply alcohol		
Personal choice for when people purchase alcohol	Council received feedback suggesting they let businesses or customers decide where and when they sell or purchase alcohol, or what rules apply. Sale of alcohol at supermarkets should be banned.	#55, #61, #64, #64, #65, #66, #68, #84, #124, #125
Proximity restrictions near schools,	Council should consider proximity restrictions (i.e., sale of alcohol near schools, community	#15, #20, #22, #27 #33, #36,

Theme	Submission Summary	Submitter
community spaces, playgrounds, health centres	spaces, playgrounds, health centres) in all suburbs.	#80, #81, #83, #89, #94, #97, #111, #127, #129, #131
People will travel to source alcohol	Preference for the ability to purchase alcohol locally, rather than travel to surrounding area/suburbs. The need to travel further distances to purchase alcohol may increase drink driving.	#12, #99, #105, P1
Location based restrictions in suburbs.	Alcohol sales in suburbs should be removed entirely. Marewa and Onekawa have similar deprivation yet are not to be restricted further (reference to bottle store restriction for Maraenui). Online alcohol sales cannot be regulated by Council. Consequently, location-based restrictions, whilst beneficial, may be ineffective.	#108, #131

Theme	Submission Summary	Submitter
2. Maximum trading hours		
Protection of hospitality businesses and employment	Crucial to safeguard hospitality businesses operating in Napier to enable a vibrant city and economy for the enjoyment of residents and visitors. Pressures on Napier hospitality businesses are causing impacts on employment opportunities.	#25, #65, #66 #93, #113, #120
Impact on tourism, vibrancy and nightlife in Napier	Hawke's Bay Tourism requested Council protect the region's brand positioning. Food and Wine Country positioning and Great Wine Capital status are vital to the region. Any significant restrictions may harm the region's brand reputation. Due to the downturn in nightlife, 3am closing time on Friday and Saturday nights should be retained to accommodate social activities during these hours.	#11, #17, #99, #114, #120, #124, #P22.
Enable convenience and flexibility for people when shopping for alcohol	Need for flexibility for people undertaking, for example shift work. The reduced hours for when alcohol can be purchased may motivate people to not buy alcohol.	#15, #17, #73, #94, P13 and P18

Theme	Submission Summary	Submitter
Consistency with other off-licence maximum trading hours	Supermarkets should have the same trading hours (specifically for sale of alcohol) as other off-licence outlets.	#111, #129, #131 P22
Restriction of service after certain times	Hospitality venues should restrict service before closing.	#101, #108, #130
Evidence of harm at 7am to 9am	Submitters questioned evidence regarding the attribution of harm to sales between 7am and 9am, specifically at supermarkets or grocery stores. Feedback from submitters regarding maximum trading hours is varied.	#11, #26, #59, #88, #89, #91, P1, P13, P18, P22, E2, E3
Evidence of harm between 2am and 3am	Submitters questioned evidence of harm for the sale of alcohol between 2am and 3am. Feedback from submitters regarding maximum trading hours is varied.	#11, #17, #28, #29, #99, #130, #132, E2, E3.

Theme	Submission Summary	Submitter
3. One-way door		
Transport availability	<p>Common closing times create issues with transport availability. Status quo is adequately serviced by taxis. Graduated departure from bars/night clubs at closing times assists in improved safety.</p> <p>Status quo operates well – assists in policing. The one bar open until 3am is well resourced with suitable security that provide a high standard of security for women. More appropriate to have one bar open from 2:00am to 3:00am so all customers drinking are in central location rather than all bars closing at 2:00am.</p>	#43, #59, #83

Theme	Submission Summary	Submitter
4. Discretionary conditions		
New discretionary conditions	A range of additional discretionary conditions were recommended. Summary and suggestions are detailed in the Officers recommendation below.	#12, #59, #69, #72, #87, #99, #108, P6, P22 P20.

Theme	Submission Summary	Submitter
Discretionary conditions that are not liked by submitters	<p>Submitters objected to the following discretionary conditions: No full wine bottle sales, serve reduction system and serves in plastic cups.</p> <p>Discretionary conditions considered too restrictive or misleading or could lead to frustration, e.g., no shots after a certain time.</p>	#89, #99, #127, P21.

Theme	Submission Summary	Submitter
5. Final questions		
Council should adopt the LAP	<p>44% of submitters in support.</p> <p>Reasons included: help reduce harm caused by antisocial behaviour and alcohol, community safety and less about economic gain.</p>	#26, #33, #37, #112
Council should not adopt the LAP	<p>56% of submitters against.</p> <p>Reasons included: unnecessary, hospitality industry under pressure – do not increase this, Hospitality business not the issue and further assessment needed (including input from Police, Health and Industry) to understand the likely impacts these changes will have on hospitality industry in Napier (and more broadly). LAP is not restrictive enough.</p>	#11, #12, #22, #25, #46, #75, #80
Reducing harm and negative impacts on the local community including noise, loitering, crowd control and crime	<p>LAP necessary to keep the community safe.</p> <p>Support for proposal given experiences with patrons leaving venues intoxicated.</p>	#33, #59, #17, #31, #74, #75
A preference for people to be consuming alcohol at on-licensed premises	<p>On-licence premises has greater levels of control or supervision than off-licences. The responsible service of alcohol approach should avoid issues.</p> <p>Responsibility rests with the patron, not the venue.</p> <p>Venues train staff and take necessary action to apply a responsible service of alcohol approach.</p>	#37, #59, #108, #113

Theme	Submission Summary	Submitter
Consistent provisions sought across Hawke's Bay or within licence types / sectors	Hawke's Bay Tourism requested consistency across the region. Potential for issues caused by discrepancies between the two Councils.	#P5, #P19, #61, #111, #129

Officer's recommendation regarding draft LAP proposal

Draft LAP proposal	Officer recommendation	Comment
<p>Maximum trading hours</p> <p>On-licence Hours</p> <p>Taverns / bars / pubs / night-clubs – breweries / cideries / distilleries / Endorsed Caterer</p> <ul style="list-style-type: none"> 8.00am to 2.00am the following day Monday to Sunday. <p>One way door restriction:</p> <ul style="list-style-type: none"> Mandatory at 1.00 am. 	<p>No change to provisions in the draft LAP</p>	<p>Officer is guided by information from New Zealand Police and Health New Zealand regarding maximum trading hours for on-licences.</p> <p>New Zealand Police state there is strong international and domestic evidence that supports the proposition that the longer alcohol licenced premises are open, the more alcohol related harm that can be attributed to them.</p> <p>The Napier City Council Research Paper includes a systematic review of studies examining on-licence trading hours providing evidence that extended trading hours at on-licence premises was typically followed by increases in the incidence of assault, unintentional injury or drink driving offences and that conversely, restricting trading hours was typically followed by decreases in the incidence of assault and hospitalization (Nepal, et al., 2020).</p> <p>Provides for consistency between Napier and Hastings areas (Hastings draft LAP is 2am closing, but subject to change through the process).</p>
<p>Maximum trading hours</p> <p>On-licence Hours</p> <p>Cafes / restaurants/ wineries / winery restaurants / Hotels (accommodation)</p> <ul style="list-style-type: none"> 8.00am to 2.00am the following day Monday to Sunday. 	<p>No change to provisions in the draft LAP</p>	
<p>Maximum trading hours</p> <p>On-licence Hours</p> <p>Entertainment Venues and 'otherwise not specified' (as per definition under the Sale and Supply of Alcohol (fees) Regulations 2013.</p> <p>Licensing hours are to be consistent with the nature and activities of the premises and in general shall range from:</p> <ul style="list-style-type: none"> 8.00am to 2.00am the following day Monday to Sunday. 	<p>No change to provisions in the draft LAP</p>	

Draft LAP proposal	Officer recommendation	Comment
<p>Maximum Trading Hours</p> <p>Off-licence hours</p> <ul style="list-style-type: none"> Grocery stores and Supermarkets: 9.00am to 9.00pm Monday to Sunday <p>All other off licenses</p> <ul style="list-style-type: none"> 9.00am to 9.00 pm Monday to Sunday. 	<p>No change to provisions in the draft LAP</p>	<p>As provided by Health New Zealand, evidence suggests that restricting alcohol availability is one of the most effective ways to reduce alcohol-related harm. The proposed hours were supported by New Zealand Police, the Medical Officer of Health (in pre-consultation information supplied to Council). The reduction in opening hours is consistent with submissions from Health New Zealand and further supported by a study by Chambers et al., 2024 titled The Estimated Health Impact of Alcohol interventions in New Zealand: A modelling study. This study modelled interventions for reduced availability of alcohol and suggested substantial population-wide health gains and reduced health inequities between Māori and non-Māori as a result.</p>
<p>Maximum Trading Hours</p> <p>Club Licence</p> <p>All Club Licence types</p> <p>Licensing hours are to be consistent with the nature and activities of the club and in general shall range from:</p> <ul style="list-style-type: none"> 8.00am to 1.00am the following day Monday to Sunday. 	<p>No change to provisions in the draft LAP</p>	
<p>Special Licences</p> <p>Special Licences may be issued for the on-site or off-site consumption of alcohol for a special event or series of events. The Sale and Supply of Alcohol Act 2012 allows special licences to be issued for up to 12 months. Special licenses are to allow the sale and supply of alcohol at events and are not intended to be a substitute for an “on”, “off” or “club” licence.</p> <p>Applications for special licences should be filed 25 working days prior to the intended event. This time period allows sufficient time for reporting by the Police, Medical Officer of Health and Licensing Inspector. Applications submitted with less than 25 working days available to the District Licensing Committee may not be</p>	<p>No change to provisions in the draft LAP</p>	

Draft LAP proposal	Officer recommendation	Comment
<p>processed in time for the event and are submitted at the applicant's risk.</p> <p>All applications must comply with the provisions of the District Plan. Conditions may be imposed on any special licence to mitigate the potential for noise or other environmental effects. Where an objection to an application is received the application will be referred for a formal hearing to the District Licensing Committee for a decision.</p> <p>Special licence Maximum Trading Hours</p> <ul style="list-style-type: none"> 8.00am to 2.00am the following day, unless the event is deemed suitable to extend beyond these hours, and the applicant can provide justification for the need for the extended hours. 		
<p>Location of licensed premises</p> <p>From the date this LAP comes into force, no further off-licences are to be issued for any premises being a bottle store on land located within:</p> <ul style="list-style-type: none"> Maraenui – the Reserve, Suburban Commercial and Residential Zone in Maraenui identified in Map 1. <p>Note: In all areas not listed above the District Licensing Committee may grant an on, off or club licence for any premises located in any zone where the sale and supply of alcohol is a permitted activity under the relevant District Plan. Applications will not be considered in other areas unless resource consent has been granted.</p>	<p>Recommend change to draft LAP location provisions, change to:</p> <p><i>From the date this LAP comes into force, no further off-licences are to be issued for any premises being a bottle store on land located within:</i></p> <ul style="list-style-type: none"> <i>Maraenui, Marewa and Onekawa – the Reserve, Suburban Commercial and Residential Zone.</i> 	<p>Consideration is given to the existing high saturation of bottle stores in Maraenui, Marewa and Onekawa, in addition to the data that has been provided by Health New Zealand reflecting high alcohol related harm and high deprivation. Consequently, it is recommended to amend the Draft LAP provisions to restrict any further bottle stores being established within these suburbs.</p>

Draft LAP proposal	Officer recommendation	Comment
<p>3. Discretionary Conditions</p> <p>Section 117 of the Act permits a District Licensing Committee to issue any licence subject to any reasonable conditions not inconsistent with the Act.</p> <p>Discretionary conditions are in addition to the mandatory conditions specified within the Act. This provision allows the District Licensing Committee a wide-ranging discretion as to conditions that may be applied to a licence. To provide guidance to the District Licensing Committee and some certainty to applicants, the following conditions are a list of those which may be imposed by the District Licensing Committee where they are considered appropriate. In using its discretion to apply conditions, the District Licensing Committee will be guided by the following:</p> <ul style="list-style-type: none"> • Connection – whether there is a connection between the problem to be addressed and the proposed activity. • Impact – whether in the opinion of the District Licensing Committee the proposed condition will contribute to making the drinking environment safer and minimise harm. • Reasonableness – whether it is within the capabilities of the applicant or licensee to satisfy this condition. <p>Note: While the District Licensing Committee has the discretion to add any condition(s) that it deems to be appropriate, it is anticipated that an applicant would have the opportunity to submit comments to the District Licensing Committee prior to the imposition of any condition that may have a financial or management impact on their business.</p>	<p>Recommend change to draft LAP proposal to include, to section 3- Discretionary Conditions, a Note that clarifies 'substantial food items' as listed under:</p> <ul style="list-style-type: none"> • On-Licences and Club Licences, • Club Licences, and • Special Licences <p>On-Licences and Club Licences</p> <ul style="list-style-type: none"> • Three substantial food options must be provided. <i>These must be similar to the menu submitted as part of an alcohol licence application. A reasonable range of different types of food should be available in portions suitable for a single customer</i> <p>Club Licences</p> <ul style="list-style-type: none"> • Three substantial food options must be provided. <i>These must be similar to the menu submitted as part of an alcohol licence application. A reasonable range of different types of food should be available in portions suitable for a single customer</i> 	<p>Amend wording for clarification of 'substantial food options' to provide guidance to Licensees on the provision of food as required by the Sale and Supply of Alcohol Act 2012.</p>

Draft LAP proposal	Officer recommendation	Comment
<p>The following are conditions which may be applied to alcohol licences by the District Licensing Committee based on their discretion.</p> <p>On-Licences and Club Licences</p> <ul style="list-style-type: none"> • CCTV cameras (location and number and keep recording for a minimum of 28 days). • Provision of effective exterior lighting. • No serving in glass containers at specified times. • Number of door-staff and provision of additional security staff after specified times. • Management of patrons queuing to enter the licensed premises. • Limit on the number of drinks per customer at specified times. • No shots or types of drinks to be served after specified times. • Limit on drink sizes after specified times. • Three substantial food options must be provided. • Conditions relating to management: such as certificated staff required if the maximum occupancy exceeds a prescribed number or if recommended by Police or the Inspector, requirement for multiple managers etc. • One way door restrictions. • Provision of transport for patrons. • Restriction on the use of outdoor areas after a specified time. • Require impact assessments by an applicant if a premises is in a particularly low socio-economic area or an area known to have ARH issues. This impact assessment should detail how the applicant will mitigate any issues with amenity and good order and may result in conditions imposed on the licence to ensure the minimisation of alcohol related harm on the surrounding community. • Maintain and provide as a part of the application process and upon request from an inspector or constable supply an incident register of alcohol related incidents. • Maintain and provide upon request a duty manager roster. 	<p>Special Licences</p> <ul style="list-style-type: none"> • Three substantial food options must be provided. <i>These must be similar to the menu submitted as part of an alcohol licence application. A reasonable range of different types of food should be available in portions suitable for a single customer</i> 	

Draft LAP proposal	Officer recommendation	Comment
<ul style="list-style-type: none"> • Mandatory reporting of violent incidents to NZ Police. <p>Club Licences</p> <ul style="list-style-type: none"> • Conditions relating to management: such as certificated staff required at all clubs unless the bar is staffed voluntarily and membership is below a prescribed number. • Three substantial food options must be provided. <p>Off-Licences</p> <ul style="list-style-type: none"> • Display of safe drinking messages/material. • CCTV cameras (location and number and holding or recordings for at least 28 days). • Provision of effective exterior lighting. • Limit on alcohol related exterior signage or advertising to 30% of the building or glass exterior. • No single sale of Ready to Drink (RTD) or mainstream beer under 500ml. • Utilise the principles of Crime Prevention through Environmental Design. (CPTED). • Require impact assessments by an applicant if a premises is in a particularly low socio-economic area or an area known to have issues. • Maintain and provide as a part of the application process and upon request from an inspector or constable supply an incident register of alcohol related incidents. • Maintain and provide upon request a duty manager roster. • Low-alcohol drinks and non-alcoholic drinks to be available for sale. <p>Special Licences</p> <ul style="list-style-type: none"> • Restriction on the type of drinks sold, the alcohol percentage of the drinks and the type of containers the drinks are served in. • One way door restrictions. • Requirement of a separate line or service area for non-alcoholic beverages where the special licence is likely to have patrons that are under the legal drinking age. 		

Draft LAP proposal	Officer recommendation	Comment
<ul style="list-style-type: none"> • Three substantial food options must be provided. • For class one events: <ul style="list-style-type: none"> • Security Staff, porta loos and rubbish bins provided in the surrounding areas to assist with issues with amenity and good order. • No full bottle wine sales for onsite consumption. • Serve reduction systems in place to manage intoxication levels – maximum serves of 4 per sale reducing to 2. • Prescribed ratio of security staff to patrons. • High visibility clothing to be worn by security staff and be visible to others. • Means of egress for emergency services. • Submission of Applications at least 25 working days prior to the event to allow for processing and potential stakeholder meetings. • A sufficiently detailed Alcohol Management Plan as per Section 143 of the SSAA 2012 		
<p>Definitions</p> <p>Grocery Store: means a shop that has the characteristics normally associated with shops of the kind commonly thought of as grocery shops such as but not limited to annual sales revenue, product range; and comprises premises where a range of food products and other household items are sold; but the principal business carried on is or will be the sale of food products (refer section 33(1) of the Act). In most cases grocery stores will be less than 1,000 m2 in size.</p>	<p>Recommend change to draft LAP proposal Definitions, change to:</p> <p><i>Grocery store has the meaning given by section 33(1) of the Sale and Supply of Alcohol Act 2012.</i></p>	

1.3 Issues

The following issue has been identified:

- 1. Consistency and alignment of on-licence hours with Hastings District Council. At the time of writing this report the following areas of the LAPs do not fully align with Hastings:**

Maximum trading hours for cafes/restaurants/wineries/winery restaurants/hotels (accommodation)

- Hastings draft LAP: 8.00am to 1.00am the following day Monday to Sunday
- Napier draft LAP: 8.00am to 2.00am the following day Monday to Sunday.

Maximum trading hours for Entertainment venues / function centres and 'otherwise not specified' (as per regulation 5 of the Sale and Supply of Alcohol (Fees) Regulations 2013.)

Licensing hours are to be consistent with the nature and activities of the premise and in general shall range from:

- Hastings draft LAP: 8.00am to 1.00am the following day Monday to Sunday.
- Napier draft LAP: 8.00am to 2.00am the following day Monday to Sunday.

1.4 Significance and Engagement

Under section 83 of the Local Government Act 2002, the following information must be publicly available for at least one month (14 March and 14 April 2025) throughout the SCP period:

- the statement of proposal; and
- a description of how Council will provide persons interested in the proposal with an opportunity to present their views to Council and
- a statement of the period within which views on the proposal may be provided to the local authority (the period being not less than 1 month from the date the statement is issued).

This draft LAP and associated documents proposal was prepared and adopted at the Council meeting 20 February 2025, this package included:

- Statement of Proposal
- Issues and Options Report
- Research Report
- Draft LAP 2025.

Further, Council has promoted opportunities for community feedback in several ways including:

- Council Website – (27 February - 14 March)
- Email to six Mana Whenua groups and organisations as advised by Te Waka Rangapū with links to the consultation information (13 March)
- Ngā Mānukanuka o te Iwi Māori Committee Meeting – (14 March 2025)
- Consultation Website – Say it Napier (14 March – 14 April 2025)
- Newspaper advertisement (14 March)

- Social Media posts (15 March)
- Invitations to stakeholder group (17 March)
- Invitations to Licensees (21 March)
- Joint stakeholder meeting (31 March)
- Licensee meeting (2 April).

Submissions were requested from the public via an online form, email or hard copy.

The Joint Stakeholder meeting had 15 attendees in person and 16 attending online.

At the Licensee Meeting, approximately 10 licensees attended.

Presentations at both meetings outlined the evidence and proposed changes to the LAP.

After each meeting, a follow-up email with a link to the submission website was sent, encouraging further participation.

1.5 Implications

Financial

This policy will incur fees associated with a legal review and costs for the consultation outlined above. These will be covered from existing operational budget in the 2024-2025 year.

Social & Policy

Alcohol-related harm is a health and social issue for which Councils are given regulatory provisions to mitigate harm through the Act. Council has a core regulatory role in alcohol licensing that responds to alcohol related harm with input from its community on local issues. The provisions in the LAP address these issues by enabling Council to specify maximum trading hours for licenced premises, location-based policies, discretionary conditions and one-way door policies.

1.6 Risks

Two risks are identified:

1. Potential for unintended consequences if policy provisions are materially different to Hastings District Council. This is mitigated through the establishment of a joint working reference group that may meet should the policies between Hastings and Napier diverge significantly following the consultation process.
2. The new LAP must be adopted by July 2025. At this date, the current LAP (2019) lapses in August 2025, and there will be no LAP in force until a new LAP is adopted.

1.7 Options

The options available to Council are as follows:

- Recommend the Draft LAP without any amendments for adoption by Council at the Council meeting on 26 June.
- Make amendments to the draft LAP provisions and recommend the amended Draft LAP for adoption by Council at the Council meeting on 26 June.

- Direct the Officer to undertake further enquiries or research on any specific matter and provide recommendations to Council at the Council meeting on 26 June.

1.6 Attachments

- 1 2025-04-25 - Council Alcohol Policy Hearing Submissions - DOC ID 1847533
(Under separate cover 1) [⇒](#)
- 2 2025-04-29 - Council Local Alcohol Policy Attachments Separate Cover 2 - Early
submissions - DOC ID 1847537 (Under separate cover 2) [⇒](#)
- 3 2025-04-29 - Draft Local Alcohol Policy - DOC ID 1832084 (Under separate cover
2)