

I hereby give notice that an ordinary meeting of the Ōtara-Papatoetoe Local Board will be held on:

Date: Tuesday, 16 February 2021
Time: 5.00pm
Meeting Room: The Gallery
Venue: Level 1, Manukau Civic Building
31-33 Manukau Station Road
Manukau

Ōtara-Papatoetoe Local Board OPEN ADDENDUM AGENDA

MEMBERSHIP

Chairperson	Lotu Fuli
Deputy Chairperson	Dr Ashraf Choudhary, QSO, JP
Members	Apulu Reece Autagavaia Dr Ofa Dewes Swanie Nelson Ross Robertson, QSO, JP Dawn Trenberth

(Quorum 4 members)

Carol McGarry
Democracy Advisor

11 February 2021

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ITEM TABLE OF CONTENTS

PAGE

24	Local board resolution responses and information report	5
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Local board resolution responses and information report

File No.: CP2021/00268

Item 24

Te take mō te pūrongo / Purpose of the report

1. This report provides a summary of resolution responses and information reports for circulation to the Ōtara-Papatoetoe Local Board.

Information reports for the local board:

2. The local board made an objection to an application for a new liquor off-license for Thirsty Liquor (2/28 Bairds Road, Papatoetoe) on 18 January 2021.
3. The local board requested an update on the status of the Auckland Provisional Local Alcohol Policy (PLAP). A copy of the update is Attachment A.

Ngā tūtohunga / Recommendation/s That the Ōtara-Papatoetoe Local Board:

- a) confirm its objection to an application for a new liquor off-licence at Thirsty Liquor (2/28 Bairds Road, Papatoetoe)
- b) note the update on the Auckland Provisional Local Alcohol Policy (PLAP).

Ngā tāpirihanga / Attachments

No.	Title	Page
A	Auckland Provisional Local Alcohol Policy (PLAP) update	7

Ngā kaihaina / Signatories

Authors	Carol McGarry - Democracy Advisor
Authorisers	Manoj Ragupathy - Local Area Manager



PROVISIONAL AUCKLAND COUNCIL LOCAL ALCOHOL POLICY UPDATE SEPTEMBER 2020

CURRENT UPDATE

Auckland Council's Provisional Local Alcohol Policy 2015 is still in the appeal process.

The council has lodged an appeal to the Court of Appeal on the judicial reviews by Foodstuffs and Woolworths.

This appeal is in regard to the 2017 to High Court decisions on Alcohol Regulatory Licensing Authority (ARLA's) decisions: to reject most appeals it needed to consider, and that council should reconsider four elements of the 2015 policy.

The objective of the council appeal to the Court of Appeal was to allow the Court to provide clearer guidance to the ARLA when reconsidering its 2017 decision, as well as the amended policy elements resubmitted to it by the council.

Foodstuffs New Zealand Limited and Woolworths New Zealand Limited have also submitted cross-appeals.

Civil court proceedings are not progressing as normal due to COVID-19, which creates uncertainty about progress. An update will be provided should there be any further progress.

Elements of the Alcohol Policy which the Authority asked Council to reconsider and elements that were amended by Council.

What the Authority asked council to reconsider	Council Local Alcohol Policy amendments in response to the Authority's request
Off-licence maximum trading hours	Off-licence trading hours changed from 9am-9pm, Monday to Sunday to 7am- 9pm, Monday to Sunday
Renewals of off-licences requiring a local impacts report	Renewals of off-licences requiring a local impacts report – <i>deleted</i>
Hours of delivery for remote sellers and discretionary conditions for certain off- licences (limiting single sales)	Hours of delivery for remote sellers – <i>Deleted</i>
Afternoon closing of premises (near education facilities)	Discretionary conditions for limiting single sales and afternoon closing in specified circumstances - <i>deleted</i>

The chart on the following page provides an overview of legal process for Auckland Council's Provisional Local Alcohol Policy.

Tara Leota-Seiuli (Graduate Policy Advisor)

Antonia Butler (Senior Policy Manager)

